

NOTICE OF INTENT

Department of Health and Hospitals Board of Medical Examiners

Podiatry Licensure and Certification, (LAC
46:XLV.1307G.-H.)

Notice is hereby given in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Louisiana State Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270 and the Louisiana Podiatric Practice Act, R.S. 37:611-628, that the board intends to amend its rules on licensure and certification of podiatrists. The proposed changes add a new Subsection (1307G.) providing for updating a history and physical examination by podiatrists who hold advanced certification status with the board in specified instances and settings. The changes also renumber the previous Subsection 1307G. as 1307H. The proposed amendments are set forth below.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLV. Medical Professions

Subpart 2. Licensure and Certification

Chapter 13. Podiatrists

Subchapter B. Requirements and Qualifications for Licensure, Scope of Practice

§1307. Qualifications for Certification for Advanced Practice; Scope of Practice

A.-C.4. ...

§1307. Qualifications for Certification for Advanced Practice; Scope of Practice

A.-F.3. ...

G. Patient history and examination. Provided a history and physical (H&P) examination has been performed by a Louisiana licensed physician or duly authorized advanced practice registered nurse within thirty days of a podiatric surgical procedure, a podiatrist certified for advanced practice under this Section may perform an update to the H&P for the purpose of pre-operative evaluation provided the:

1. podiatric surgical procedure is performed in a hospital or ambulatory surgical center (ASC) licensed by the state;

2. podiatrist's credentials have been approved by the hospital or ASC medical staff and the podiatrist has been authorized to perform the

procedure in accordance with the hospital or ASC's prescribed policies and procedures; and

3. updated examination and history are directly related to the podiatry procedure the podiatrist is authorized to perform under the scope of his or her license.

H. The burden of satisfying the board as to the qualifications and eligibility of the applicant for certification of practice prerogatives shall be upon the applicant. An applicant shall not be deemed to possess such qualifications unless the applicant demonstrates and evidences such qualifications in the manner prescribed by and to the satisfaction of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:611-37:628.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 35:241 (February 2009), amended, LR.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or autonomy, as described in R.S. 49:972.

Poverty Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is not anticipated that the proposed amendments will have any impact on child, individual or family poverty in relation to individual or community asset development, as described in R.S. 49:973.

Provider Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with development disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Rita Arceneaux, Confidential Executive Assistant, Louisiana State Board of Medical Examiners, 630 Camp Street, New Orleans,

Louisiana, 70130, (504) 568-6820, Ex. 242. She is responsible for responding to inquiries. Written comments will be accepted until 4:00 p.m., September 19, 2016. If a public hearing is requested to provide data, views, arguments, information or comments in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on September 28, 2016 at 10:00 a.m. at the office of the Louisiana State Board of Medical Examiners, 630 Camp Street, New Orleans, Louisiana 70130. Any person wishing to attend should call to confirm that a hearing is being held.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the Board within 20 days of the date of this notice.

Eric D. Torres
Executive Director