

# An Act

ENROLLED SENATE  
BILL NO. 1280

By: Smalley of the Senate

and

Bush of the House

An Act relating to professions and occupations; amending 59 O.S. 2011, Section 144, as last amended by Section 1, Chapter 87, O.S.L. 2017 (59 O.S. Supp. 2017, Section 144), which relates to the Podiatric Medicine Practice Act; modifying requirements for examination; setting forth procedure for review of licensure applications; defining terms; amending 59 O.S. 2011, Section 2059, as amended by Section 1, Chapter 19, O.S.L. 2017 (59 O.S. Supp. 2017, Section 2059), which relates to the Oklahoma Licensed Perfusionist Act; setting forth procedure for review of licensure applications; defining terms; and providing an effective date.

SUBJECT: Professions and occupations

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2011, Section 144, as last amended by Section 1, Chapter 87, O.S.L. 2017 (59 O.S. Supp. 2017, Section 144), is amended to read as follows:

Section 144. A. The fee for examination for a license to practice podiatric medicine in this state shall be One Hundred Dollars (\$100.00). The Board of Podiatric Medical Examiners may increase this fee by not more than an additional Two Hundred Dollars (\$200.00). The examination for such license shall be given by the Board. The Board may give the examination at any special meeting, but shall not be required to do so. The Board may utilize the National Board of Podiatric Examiners' National Board Examination Part III as the written portion of the state licensing exam.

B. To be entitled to take the examination, a person shall:

1. File a written or electronic online application on a form prescribed by the Board;

2. Pay to the secretary-treasurer of the Board in advance the fee for examination;

3. Satisfy the Board that the person is ~~loyal to~~ legally in the United States of America;

4. Be more than twenty-one (21) years of age;

5. Be of good moral character;

6. Not have been finally convicted of any crime involving moral turpitude or of any felony;

7. ~~Be free from contagious or infectious disease;~~

~~8.~~ Be a graduate of an accredited college of podiatric medicine; and

~~9.~~ 8. Have complied with applicable Board rules.

C. An applicant satisfying the requirements of subsection B of this section shall receive a license to practice podiatric medicine in this state, to be issued by the Board, if the applicant:

1. Takes the examination administered or approved by the Board and receives a passing score of at least seventy-five percent (75%) on both the written and oral portions. An applicant receiving less than a score of seventy-five percent (75%) on either the written or oral portion of the examination shall be deemed to have failed the entire examination;

2. Satisfactorily completes a podiatric surgical residency, approved by the Council of Podiatric Medical Education of the American Podiatric Medical Association, of not less than three (3) years; provided, the provisions of this paragraph shall only apply to applicants after March 1, 2018; and

3. Satisfies the Board that the applicant has not violated any of the provisions of the Podiatric Medicine Practice Act or any of the rules of the Board.

D. The examination administered or approved by the Board shall include both a written and an oral portion, shall be administered in the English language, and shall cover areas in anatomy, pathology, podiatric medicine and surgery, dermatology, pharmacology, biomechanics, anesthesia, radiology, Oklahoma law relating to podiatric medicine, and such other subjects as the Board from time to time determines necessary and appropriate. The Board may authorize examination papers to be graded by one or more of its own members or by any one or more licensed podiatric physicians selected by the Board. Each license issued by the Board shall be signed by each member of the Board, bear the seal of the Board, and designate the licensee as a licensed podiatric physician.

E. The Board may issue a temporary license if the applicant:

1. Has met the requirements of subsection B of this section;

2. Takes the examination administered or approved by the Board and receives a passing score of at least seventy-five percent (75%) on both the written and oral portions. An applicant receiving less than a score of seventy-five percent (75%) on either the written or oral portion of the examination shall be deemed to have failed the entire examination;

3. Is within ninety (90) days of completing or has completed a podiatric surgical residency, approved by the Council of Podiatric Medical Education of the American Podiatric Medical Association, of not less than three (3) years; provided, the provisions of this paragraph shall only apply to applicants after March 1, 2018; and

4. Satisfies the Board that the applicant has not violated any of the provisions of the Podiatric Medicine Practice Act or any of the rules of the Board.

F. The Board may review applications by circularization and thereby vote to approve an application. The approval vote shall be unanimous. Any Board member may vote to hold any application until

a meeting of the Board for review en banc. Applications approved by circularization shall be ratified at a subsequent meeting of the Board. No application shall be denied except in a meeting of the Board upon a vote of a majority of the Board members. As used in this subsection, "circularization" means a process by which the full Board may review and vote on licensure applications in between regular board meetings to expedite the licensure process. As used in this subsection, "en banc" means a regularly scheduled Board meeting in which an agenda item is heard before all or a quorum of the Board members.

SECTION 2. AMENDATORY 59 O.S. 2011, Section 2059, as amended by Section 1, Chapter 19, O.S.L. 2017 (59 O.S. Supp. 2017, Section 2059), is amended to read as follows:

Section 2059. A. Except as otherwise provided in the Oklahoma Licensed Perfusionists Act, on and after January 1, 1997, no person shall practice perfusion in this state unless licensed pursuant to the provisions of the Oklahoma Licensed Perfusionists Act.

B. No person shall be licensed to practice perfusion in this state except upon a finding by the State Board of Examiners of Perfusionists that such person:

1. Has fully complied with all applicable licensure requirements of the Oklahoma Licensed Perfusionists Act;

2. Is of good moral character; and

3. Has produced satisfactory evidence to the Board of the ability of the applicant to practice perfusion with reasonable skill and safety.

C. An applicant for a perfusionist license must submit a sworn application accompanied by an application fee specified in Section 2071 of this title in an amount set by rule of the Board.

D. The Board shall prescribe the form of the application and by rule may establish dates by which applications and fees must be received. These rules must not be inconsistent with present rules of the State Board of Medical Licensure and Supervision related to application dates of other licenses. The Board may review and

verify medical credentials and screen applicant records through recognized national information services.

E. To qualify for the examination for licensure, the applicant must have successfully completed a perfusion education program approved by the Board.

F. In approving perfusion education programs necessary for qualification for examination, the Board shall approve only a program that has educational standards that are at least as stringent as those established by the Accreditation Committee for Perfusion Education and approved by the Committee on Allied Health Education and Accreditation of the American Medical Association or their successors.

G. Not later than the forty-fifth day after the date of receipt of a properly submitted and timely application and not later than the thirtieth day before the next examination date, the Board shall notify an applicant in writing that the applicant's application and any other relevant evidence pertaining to applicant qualifications established by the Board by rule have been received and investigated. The notice shall state whether the application and other evidence submitted have qualified the applicant for examination. If the applicant has not qualified for examination, the notice shall state the reasons for lack of qualification.

H. The Board may review applications by circularization and thereby vote to approve an application. The approval vote shall be unanimous. Any Board member may vote to hold any application until a meeting of the Board for review en banc. Applications approved by circularization shall be ratified at a subsequent meeting of the Board. No application shall be denied except in a meeting of the Board upon a vote of a majority of the Board members. As used in this subsection, "circularization" means a process by which the full Board may review and vote on licensure applications in between regular board meetings to expedite the licensure process. As used in this subsection, "en banc" means a regularly scheduled Board meeting in which an agenda item is heard before all or a quorum of the Board members.

SECTION 3. This act shall become effective November 1, 2018.

Passed the Senate the 6th day of March, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_