

1 **SENATE FLOOR VERSION**

2 February 16, 2023

3 SENATE BILL NO. 221

By: Daniels

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5  
6 An Act relating to the practice of podiatry; amending  
7 59 O.S. 2021, Section 137, which relates to the Board  
8 of Podiatric Medical Examiners; removing certain  
9 limitation on appointees; permitting the Governor to  
10 consider certain recommendations; updating statutory  
11 language; updating statutory reference; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2021, Section 137, is  
15 amended to read as follows:

16 Section 137. A. A Board of Podiatric Medical Examiners is  
17 hereby re-created, to continue until July 1, 2024, in accordance  
18 with the provisions of the Oklahoma Sunset Law. ~~Said~~ The Board  
19 shall regulate the practice of podiatric medicine in this state in  
20 accordance with the provisions of the Podiatric Medicine Practice  
21 Act. The Board, appointed by the Governor, shall be composed of  
22 five podiatric physicians licensed to practice podiatric medicine in  
23 this state and one lay member representing the public.

24 B. Each podiatric physician member of the Board shall:

1. Be a legal resident of this state;

1        2. Have practiced podiatric medicine continuously in this state  
2 during the three (3) years immediately preceding appointment to the  
3 Board;

4        3. Be free of pending disciplinary action or active  
5 investigation by the Board; and

6        4. Be a member in good standing of the American Podiatric  
7 Medical Association and of the Oklahoma Podiatric Medical  
8 Association.

9        C. The lay member of the Board shall:

10        1. Be a legal resident of this state;

11        2. Not be a registered or licensed practitioner of any of the  
12 healing arts or be related, within the third degree of consanguinity  
13 or affinity, to any such person; and

14        3. Participate in Board proceedings only for the purposes of:

15            a. reviewing, investigating and disposing of written  
16 complaints regarding the conduct of podiatric  
17 physicians, and

18            b. formulating, adopting and promulgating rules pursuant  
19 to Article I of the Administrative Procedures Act.

20        D. Except as provided in subsection E of this section, the term  
21 of office of each podiatric physician member of the Board shall be  
22 five (5) years, with one such member being appointed to the Board  
23 each year. The lay member of the Board shall serve a term  
24 coterminous with that of the Governor. Each member shall hold

1 office until the expiration of the term for which appointed or until  
2 a qualified successor has been duly appointed. An appointment shall  
3 be made by the Governor within ninety (90) days after the expiration  
4 of the term of any member, or the occurrence of a vacancy on the  
5 Board due to resignation, death, or any other cause resulting in an  
6 unexpired term. ~~The appointment of the podiatric physician members~~  
7 ~~shall be made from a list of not less than five persons submitted~~  
8 ~~annually to the Governor by the Oklahoma Podiatric Medical~~  
9 ~~Association~~ In selecting appointees, the Governor may consider  
10 recommendations from a statewide organization representing podiatric  
11 physicians, a state chapter of a national organization representing  
12 podiatric physicians, or other groups or individuals in this state.

13 E. Each of the three podiatric physician members of the Board,  
14 serving on ~~the effective date of this act~~ September 1, 1993, shall  
15 complete the term of office for which he or she was appointed, and  
16 the successor to each such member shall be appointed for a term of  
17 five (5) years. Within sixty (60) days after ~~the effective date of~~  
18 ~~this act~~ September 1, 1993, the Governor shall appoint two new  
19 podiatric physician members to the Board, one for a term expiring  
20 July 1, 1997, and one for a term expiring on July 1, 1998. The  
21 successor to each such new member shall be appointed for a term of  
22 five (5) years.

23 F. Before assuming duties on the Board, each member shall take  
24 and subscribe to the oath or affirmation provided in Article XV of

1 the Oklahoma Constitution, which oath or affirmation shall be  
2 administered and filed as provided in ~~said~~ the article.

3 G. A member may be removed from the Board by the Governor for  
4 cause which shall include, but not be limited to:

5 1. Ceasing to be qualified;

6 2. Being found guilty by a court of competent jurisdiction of a  
7 felony or of any offense involving moral turpitude;

8 3. Being found guilty, through due process, of malfeasance,  
9 misfeasance or nonfeasance in relation to Board duties;

10 4. Being found mentally incompetent by a court of competent  
11 jurisdiction;

12 5. Being found in violation of any provision of the Podiatric  
13 Medicine Practice Act; or

14 6. Failing to attend three consecutive meetings of the Board  
15 without just cause, as determined by the Board.

16 SECTION 2. This act shall become effective November 1, 2023.

17 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
18 February 16, 2023 - DO PASS

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