

2518

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

Introduced by M. of A. PRETLOW, STIRPE, GABRYSZAK -- Multi-Sponsored by
-- M. of A. GALEF, LATIMER, LUPARDO, REILLY, WEISENBERG -- read once
and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the practice of podiatry

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 7001 of the education law, as amended by chapter
2 677 of the laws of 1996, is amended to read as follows:
3 S 7001. Definition of practice of podiatry. 1. The practice of the
4 profession of podiatry is defined as diagnosing, treating, operating and
5 prescribing for any disease, injury, deformity or other condition of the
6 foot, [and may include] ANKLE AND ALL SOFT TISSUE STRUCTURES OF THE LEG
7 BELOW THE KNEE ANATOMICALLY AFFECTING THE FOOT AND ANKLE. THE PRACTICE
8 OF PODIATRY INCLUDES performing physical evaluations in conjunction with
9 [the provision of] podiatric treatment. Podiatrists may treat traumatic
10 open wound fractures only in hospitals, as defined in article twenty-
11 eight of the public health law.
12 2. [The practice of podiatry shall not include treating any part of
13 the human body other than the foot, nor treating fractures of the
14 malleoli or cutting operations upon the malleoli.] Podiatrists licensed
15 to practice, but not authorized to prescribe or administer narcotics
16 prior to the effective date of this subdivision, may do so only after
17 certification by the department in accordance with the qualifications
18 established by the commissioner. The practice of podiatry shall include
19 administering only local anesthetics for therapeutic purposes as well as
20 for anesthesia and treatment under general anesthesia administered by
21 authorized persons.
22 3. PODIATRISTS LICENSED TO PRACTICE, BUT NOT AUTHORIZED TO DIAGNOSE,
23 TREAT, OPERATE OR PRESCRIBE FOR ANY DISEASE, INJURY, DEFORMITY OR OTHER
24 CONDITION OF THE ANKLE PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 MAY DO SO ONLY AFTER CERTIFICATION BY THE DEPARTMENT IN ACCORDANCE WITH
2 THE QUALIFICATIONS ESTABLISHED BY THE COMMISSIONER. QUALIFICATIONS TO
3 OPERATE ON THE ANKLE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE SUCCESS-
4 FUL COMPLETION OF A RESIDENCY PROGRAM OR PROGRAMS, CERTIFICATION BY A
5 NATIONAL CERTIFYING BOARD HAVING CERTIFICATION STANDARDS ACCEPTABLE TO
6 THE COMMISSIONER, OR COMPLETION OF A POST-RESIDENCY ACCREDITED EDUCA-
7 TIONAL PROGRAM ACCEPTABLE TO THE COMMISSIONER WITH DEMONSTRATED COMPE-
8 TENCY IN THE SURGICAL TREATMENT OF THE ANKLE.
9 S 2. This act shall take effect one year after it shall have become a
10 law.