

STATE OF NEW YORK

4613--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. PRETLOW, ROZIC, BRONSON, PAULIN, GRIFFIN, KAY, BERGER, EACHUS, STIRPE, CLARK -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1 and 2 of section 7001 of the education law,
2 subdivision 1 as amended by chapter 23 of the laws of 2013 and subdivi-
3 sion 2 as amended by chapter 438 of the laws of 2012, are amended to
4 read as follows:
5 1. The practice of the profession of podiatry is defined as diagnos-
6 ing, treating, operating and prescribing for any disease, injury,
7 deformity [~~or~~], other condition of, or local manifestations of systemic
8 diseases as they appear on the foot and the diagnosing, treating, and
9 prescribing for any disease, injury, deformity, other condition of, or
10 local manifestations of systemic diseases as they appear on the ankle,
11 unless otherwise provided by this section, and may include performing
12 physical evaluations in conjunction with the provision of podiatric
13 treatment. For the purposes of wound care however, the practice of
14 podiatry shall include the treatment of such wounds if they are contig-
15 uous with wounds relating, originating or in the course of treatment of
16 a wound on the foot or ankle within the podiatric scope of practice.
17 Wound care shall not [~~however~~] extend beyond the level ending at the
18 distal tibial tuberosity. The practice of podiatry may also include
19 [~~diagnosing, treating,~~] operating [~~and prescribing~~] for any disease,
20 injury, deformity or other condition of the ankle and soft tissue of the
21 leg below the tibial tuberosity if the podiatrist has obtained an issu-

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

LBD07128-08-5

1 ance of a privilege to perform podiatric standard ankle surgery or
2 advanced ankle surgery in accordance with section seven thousand nine of
3 this article. Podiatrists may treat traumatic open wound fractures only
4 in hospitals, as defined in article twenty-eight of the public health
5 law. For the purposes of this article, the term "ankle" shall be defined
6 as the distal metaphysis and epiphysis of the tibia and fibula, the
7 articular cartilage of the distal tibia and distal fibula, the ligaments
8 that connect the distal metaphysis and epiphysis of the tibia and fibula
9 and talus, and the portions of skin, subcutaneous tissue, fascia,
10 muscles, tendons, ligaments and nerves at or below the level of the
11 myotendinous junction of the triceps surae.

12 2. The practice of podiatry shall not include treating any part of the
13 human body other than the foot ~~or ankle, [nor treating fractures of the~~
14 ~~malleoli or]~~ provided, however, that unless the podiatrist obtains an
15 issuance of a privilege to perform podiatric standard ankle surgery or
16 podiatric advanced ankle surgery, such practice shall not include the
17 surgical treatment of fractures of the malleoli which includes cutting
18 operations upon the malleoli [~~unless the podiatrist obtains an issuance~~
19 ~~of a privilege to perform podiatric standard ankle surgery or podiatric~~
20 ~~advanced ankle surgery~~]. Podiatrists who have obtained an issuance of a
21 privilege to perform podiatric standard ankle surgery may perform
22 surgery on the ankle which may include soft tissue and osseous proce-
23 dures except those procedures specifically authorized for podiatrists
24 who have obtained an issuance of a privilege for advanced ankle surgery.
25 Podiatrists who have obtained an issuance of a privilege to perform
26 podiatric advanced ankle surgery may perform surgery on the ankle which
27 may include ankle fracture fixation, ankle fusion, ankle arthroscopy,
28 insertion or removal of external fixation pins into or from the tibial
29 diaphysis at or below the level of the myotendinous junction of the
30 triceps surae, and insertion and removal of retrograde tibiotalarcan-
31 neal intramedullary rods and locking screws up to the level of the
32 myotendinous junction of the triceps surae, but does not include the
33 surgical treatment of complications within the tibial diaphysis related
34 to the use of such external fixation pins. Podiatrists licensed to prac-
35 tice, but not authorized to prescribe or administer narcotics prior to
36 the effective date of this subdivision, may do so only after certif-
37 ication by the department in accordance with the qualifications estab-
38 lished by the commissioner. The practice of podiatry shall include
39 administering only local anesthetics for therapeutic purposes as well as
40 for anesthesia and treatment under general anesthesia administered by
41 authorized persons. The practice of podiatry by any licensee shall not
42 include [~~partial or total ankle replacements nor~~] the treatment of pilon
43 fractures.

44 § 2. The opening paragraph of section 7010 of the education law is
45 designated subdivision 1 and subdivision 2, as added by chapter 438 of
46 the laws of 2012, is amended to read as follows:

47 2. (a) A limited permit to perform podiatric advanced ankle surgery,
48 as described in subdivision two of section seven thousand one of this
49 article, may be issued by the department, for the purposes of authoriz-
50 ing a podiatrist to obtain the training and experience required for the
51 issuance of a podiatric advanced ankle surgery privilege pursuant to
52 subdivision two of section seven thousand nine of this article, to a
53 podiatrist who:

54 (i) is licensed pursuant to this article and who has met the residency
55 and board certification requirements set forth in subdivision two of
56 section seven thousand nine of this article [~~in order to authorize such~~

~~1 podiatrist to obtain the training and experience required for the issu-~~
~~2 ~~ance of a podiatric advanced ankle surgery privilege pursuant to subdivi-~~~~
~~3 ~~vision two of section seven thousand nine of this article]; or~~~~

4 (ii) is licensed pursuant to this article and who has met the residen-
5 cy requirements set forth in subdivision two of section seven thousand
6 nine of this article and who is board qualified but not yet certified in
7 reconstructive rearfoot and ankle surgery by a national certifying board
8 having certification standards acceptable to the department.

9 (b) Such permits shall authorize the performance of podiatric advanced
10 ankle surgery only under the direct personal supervision of a licensed
11 podiatrist holding a podiatric advanced ankle surgery privilege issued
12 pursuant to subdivision two of section seven thousand nine of this arti-
13 cle or of a physician licensed pursuant to article one hundred thirty-
14 one of this title and certified in orthopedic surgery by a national
15 certifying board having certification standards acceptable to the
16 department.

17 § 3. This act shall take effect eighteen months after it shall have
18 become a law. Effective immediately, the addition, amendment and/or
19 repeal of any rule or regulation necessary for the implementation of
20 this act on its effective date are authorized to be made and completed
21 on or before such effective date.