

1 ENGROSSED SENATE  
2 BILL NO. 685

By: Stanley of the Senate

3 and

4 Roe of the House

5  
6 An Act relating to professions and occupations;  
7 amending 59 O.S. 2011, Section 144, as last amended  
8 by Section 1, Chapter 87, O.S.L. 2017 (59 O.S. Supp.  
9 2018, Section 144), which relates to the Podiatric  
10 Medicine Practice Act; modifying requirements for  
11 examination; setting forth procedure for review of  
12 licensure applications; defining terms; amending 59  
13 O.S. 2011, Section 2059, as amended by Section 1,  
14 Chapter 19, O.S.L. 2017 (59 O.S. Supp. 2018, Section  
15 2059), which relates to the Oklahoma Licensed  
16 Perfusionist Act; setting forth procedure for review  
17 of licensure applications; defining terms; and  
18 providing an effective date.

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

20 SECTION 1. AMENDATORY 59 O.S. 2011, Section 144, as last  
21 amended by Section 1, Chapter 87, O.S.L. 2017 (59 O.S. Supp. 2018,  
22 Section 144), is amended to read as follows:

23 Section 144. A. The fee for examination for a license to  
24 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,

1 but shall not be required to do so. The Board may utilize the  
2 National Board of Podiatric Examiners' National Board Examination  
3 Part III as the written portion of the state licensing exam.

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

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

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

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

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

12 5. Be of good moral character;

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

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

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

18 ~~9.~~ 8. Have complied with applicable Board rules.

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

22 1. Takes the examination administered or approved by the Board  
23 and receives a passing score of at least seventy-five percent (75%)  
24 on both the written and oral portions. An applicant receiving less

1 than a score of seventy-five percent (75%) on either the written or  
2 oral portion of the examination shall be deemed to have failed the  
3 entire examination;

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

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

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

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

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

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

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

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

16 F. The Board may review applications by circularization and  
17 thereby vote to approve an application. The approval vote shall be  
18 unanimous. Any Board member may vote to hold any application until  
19 a meeting of the Board for review en banc. Applications approved by  
20 circularization shall be ratified at a subsequent meeting of the  
21 Board. No application shall be denied except in a meeting of the  
22 Board upon a vote of a majority of the Board members. As used in  
23 this subsection, "circularization" means a process by which the full  
24 Board may review and vote on licensure applications in between

1 regular board meetings to expedite the licensure process. As used  
2 in this subsection, "en banc" means a regularly scheduled Board  
3 meeting in which an agenda item is heard before all or a quorum of  
4 the Board members.

5 SECTION 2. AMENDATORY 59 O.S. 2011, Section 2059, as  
6 amended by Section 1, Chapter 19, O.S.L. 2017 (59 O.S. Supp. 2018,  
7 Section 2059), is amended to read as follows:

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

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

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

17 2. Is of good moral character; and

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

21 C. An applicant for a perfusionist license must submit a sworn  
22 application accompanied by an application fee specified in Section  
23 2071 of this title in an amount set by rule of the Board.

24

1 D. The Board shall prescribe the form of the application and by  
2 rule may establish dates by which applications and fees must be  
3 received. These rules must not be inconsistent with present rules  
4 of the State Board of Medical Licensure and Supervision related to  
5 application dates of other licenses. The Board may review and  
6 verify medical credentials and screen applicant records through  
7 recognized national information services.

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

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

18 G. Not later than the forty-fifth day after the date of receipt  
19 of a properly submitted and timely application and not later than  
20 the thirtieth day before the next examination date, the Board shall  
21 notify an applicant in writing that the applicant's application and  
22 any other relevant evidence pertaining to applicant qualifications  
23 established by the Board by rule have been received and  
24 investigated. The notice shall state whether the application and

1 other evidence submitted have qualified the applicant for  
2 examination. If the applicant has not qualified for examination,  
3 the notice shall state the reasons for lack of qualification.

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

17 SECTION 3. This act shall become effective November 1, 2019.  
18  
19  
20  
21  
22  
23  
24

