

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1231

By: Bergstrom of the Senate

and

6 Kendrix of the House

7
8
9 An Act relating to professions and occupations;
10 amending 59 O.S. 2021, Section 137, which relates to
11 the Board of Podiatric Medical Examiners; extending
12 sunset date; updating statutory reference; providing
13 an effective date; and declaring an emergency.

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

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

17 Section 137. A. A Board of Podiatric Medical Examiners is
18 hereby re-created, to continue until ~~July 1, 2024~~ July 1, 2027, in
19 accordance with the provisions of the Oklahoma Sunset Law. ~~Said~~ The
20 Board shall regulate the practice of podiatric medicine in this
21 state in accordance with the provisions of the Podiatric Medicine
22 Practice Act. The Board, appointed by the Governor, shall be
23 composed of five podiatric physicians licensed to practice podiatric
24 medicine in this state and one lay member representing the public.

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

2 1. Be a legal resident of this state;

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

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

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

11 C. The lay member of the Board shall:

12 1. Be a legal resident of this state;

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

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

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

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

22 D. Except as provided in subsection E of this section, the term
23 of office of each podiatric physician member of the Board shall be
24 five (5) years, with one such member being appointed to the Board

1 each year. The lay member of the Board shall serve a term
2 coterminous with that of the Governor. Each member shall hold
3 office until the expiration of the term for which appointed or until
4 a qualified successor has been duly appointed. An appointment shall
5 be made by the Governor within ninety (90) days after the expiration
6 of the term of any member, or the occurrence of a vacancy on the
7 Board due to resignation, death, or any other cause resulting in an
8 unexpired term. The appointment of the podiatric physician members
9 shall be made from a list of not less than five persons submitted
10 annually to the Governor by the Oklahoma Podiatric Medical
11 Association.

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

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

1 the Oklahoma Constitution, which oath or affirmation shall be
2 administered and filed as provided in ~~said~~ such 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 July 1, 2024.

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21

22 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
23 03/28/2024 - DO PASS.

24