

1 **SENATE FLOOR VERSION**

2 February 7, 2024

3 SENATE BILL NO. 1231

By: Bergstrom of the Senate

4 and

5 Kendrix of the House

6
7
8 An Act relating to professions and occupations;
9 amending 59 O.S. 2021, Section 137, which relates to
10 the Board of Podiatric Medical Examiners; extending
an effective date; updating statutory reference; providing
11 an effective date; and declaring an emergency.

12
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~~ July 1, 2027, in
18 accordance with the provisions of the Oklahoma Sunset Law. ~~Said~~ The
19 Board shall regulate the practice of podiatric medicine in this
20 state in accordance with the provisions of the Podiatric Medicine
21 Practice Act. The Board, appointed by the Governor, shall be
22 composed of five podiatric physicians licensed to practice podiatric
23 medicine in this state and one lay member representing the public.

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

- 1 1. Be a legal resident of this state;
- 2 2. Have practiced podiatric medicine continuously in this state
3 during the three (3) years immediately preceding appointment to the
4 Board;
- 5 3. Be free of pending disciplinary action or active
6 investigation by the Board; and
- 7 4. Be a member in good standing of the American Podiatric
8 Medical Association and of the Oklahoma Podiatric Medical
9 Association.

10 C. The lay member of the Board shall:

- 11 1. Be a legal resident of this state;
- 12 2. Not be a registered or licensed practitioner of any of the
13 healing arts or be related, within the third degree of consanguinity
14 or affinity, to any such person; and
- 15 3. Participate in Board proceedings only for the purposes of:
 - 16 a. reviewing, investigating and disposing of written
17 complaints regarding the conduct of podiatric
18 physicians, and
 - 19 b. formulating, adopting and promulgating rules pursuant
20 to Article I of the Administrative Procedures Act.

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

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

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

21 F. Before assuming duties on the Board, each member shall take
22 and subscribe to the oath or affirmation provided in Article XV of
23 the Oklahoma Constitution, which oath or affirmation shall be
24 administered and filed as provided in ~~said~~ such article.

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

3 1. Ceasing to be qualified;

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

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

8 4. Being found mentally incompetent by a court of competent
9 jurisdiction;

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

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

14 SECTION 2. This act shall become effective July 1, 2024.

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

19 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES
20 February 7, 2024 - DO PASS