

CHAPTER 118

S.B. No. 819

An Act relating to the practice of podiatry and to continuing education requirements; authorizing certain fees; amending Article 4567b and Sections 1 and 3, Article 4571, Revised Statutes, as amended.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Article 4567b, Revised Statutes, as amended, is amended to read as follows:

“Article 4567b. **PRACTICE OF PODIATRY; PENALTY.** Any person shall be regarded as practicing podiatry within the meaning of this law, and shall be deemed and construed to be a podiatrist, who shall treat or offer to treat any disease or disorder, physical injury or deformity, or ailment of the human foot by any system or method and charge therefore, directly or indirectly, money or other compensation, or who shall publicly profess or claim to be a chiropodist, podiatrist, *podiatric physician* (~~pedicurist~~), foot specialist, doctor or use any title, degree, letter, syllable, word or words that would tend to lead the public to believe such person was a practitioner authorized to practice or assume the duties incident to the practice of podiatry. Whoever professes to be a podiatrist, practices or assumes the duties incident to the practice of podiatry within the meaning of this law or Article, without first obtaining from the Texas State Board of Podiatry Examiners a license authorizing such person to practice podiatry, shall be punished by a fine of not less than Fifty Dollars (\$50), nor more than Five Hundred Dollars (\$500), or by imprisonment in the county jail of not less than thirty (30) days, nor more than six (6) months, or by both fine and imprisonment.”

SECTION 2. Section 1, Article 4571, Revised Statutes, as amended, is amended to read as follows:

“Section 1. (a) The Texas State Board of Podiatry Examiners shall set and may from time to time change the amount of the annual license renewal fee as in the Board’s judgment may be needed to provide for the reasonable costs and expenses of the Board in performing its duties and the administration of the law regulating the practice of podiatry. The annual license renewal fee shall be paid to the Board.

“(b) The Texas State Board of Podiatry Examiners on or before August first of each year shall notify, by mail, all Texas licensed podiatrists at their last known address that the annual license renewal fee is due on the following September first.

“(c) *In order to ensure the continuing competence of persons licensed to practice podiatry, the Texas State Board of Podiatry Examiners may adopt and administer rules requiring continuing education, not to exceed 25 hours per licensee per year, as a prerequisite to annual license*

renewal. If adopted by the Board, such rules shall establish standards of accreditation for continuing education programs or courses of study, and only those programs or courses of study which are inspected and accredited by the Board shall apply toward the satisfaction of such continuing education requirements. The Board is hereby authorized to impose a fee, not to exceed \$25 per licensee per year, to cover the cost of administration of any continuing education rules which may be adopted pursuant to this Section.

“(d) A person may renew his unexpired license by satisfying any continuing education requirements pursuant to Subsection (c) of this Section and by paying to the Board before the expiration date of the license the required renewal fee.

“(e) [(d)] If a person’s license has been expired for 90 days or less, the person may renew the license by satisfying any continuing education requirements pursuant to Subsection (c) of this Section and by paying to the Board the required renewal fee and a fee that is one-half of the examination fee for the license.

“(f) [(e)] The Board by rule may adopt a system under which licenses expire on various dates during the year, and the dates for sending notice that payment is due and dates of suspension, revocation, and assessment of a penalty for nonpayment shall be adjusted accordingly. For the year in which the license renewal date is changed, license fees payable on September 1 shall be prorated on a monthly basis so that each licensee shall pay only that portion of the license fee which is allocable to the number of months during which the license is valid. On renewal of the license on the new expiration date, the total license renewal fee is payable.

“(g) [(f)] If a person’s license has been expired for more than 90 days but less than two years, the person may renew the license by satisfying any continuing education requirements pursuant to Subsection (c) of this Section and by paying to the Board renewal fees and a fee that is equal to the examination fee for the license.

“(h) [(g)] If a person’s license has been expired for two years or more, the person may not renew the license. The person may obtain a new license by submitting to reexamination and complying with the requirements and procedures for obtaining an original license.”

SECTION 3. Section 3, Article 4571, Revised Statutes, as amended, is amended to read as follows:

“Section 3. After the Board has declared a license suspended or revoked for failure to satisfy any continuing education requirements pursuant to Subsection (c) of Section 1 of this Article or for nonpayment of the annual license renewal fee as provided for in this Article, the Board may thereafter in its discretion refuse to reinstate the license or issue a new license until the podiatrist, whose license has been declared suspended or revoked has passed the regular examination for license.”

SECTION 4. This Act takes effect September 1, 1985.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 1, 1985, by a viva-voce vote; passed the House on May 2, 1985, by a non-record vote.

Approved: May 17, 1985

Effective: September 1, 1985