

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0208

**DEADLINE FOR RECEIPT: Monday, March 18, 2024**

***PLEASE NOTE: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*In (a), line 4, is the word “additional” necessary? Consider deleting. Also, line 4, how does the regulated public provide “certification to the Board?”*

*In (a), line 5, which “General Statutes?”*

*In (a), line 6, add “of continuing education” after “hours.”*

*In lines 6-7, it’s not clear if 1 hour is required for controlled substances prescribing practices and 1 hour of controlled substances prescribing for chronic pain management or 1 hour total for both. Please redraft for clarity.*

*In (b), line 8, should “CME” be spelled out before only using the acronym?*

*In (b), line 11, consider replacing “that” with “if.” In line 12, consider replacing “of” with “from.”*

*In (b), line 16, consider replacing “updates” with “subsequent amendments and editions” to track the language used in 150B-21.6.*

*In (b), lines 16-17, add commas after “writing” and after “documentation.”*

*In (b)(3), line 22, add a period after “system.”*

*In (c)(1), line 6, add “G.S.” before “90-202.11.”*

Travis Wiggs  
Commission Counsel

*In (c)(1), lines 6-7, consider changing “a listing of individuals attending its CME events and credits earned” to “a list of individuals who attended its CME events and earned credits.”*

*In (c)(4), line 15, delete “either.”*

*In (c)(5), lines 20-21, consider adding a comma after “States” and after “abroad.”*

*In History Notes, how does G.S. 90-202.4 (g) grant authority for this rule? “Amended Eff. March 1, 2024” is not accurate.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs  
Commission Counsel

1 21 NCAC 52.0208 is amended with changes as published in Volume 37:21 NCR 2045 as follows:

2  
3 **21 NCAC 52 .0208 CONTINUING EDUCATION**

4 (a) An additional requirement for issuance of the annual renewal certificate shall be certification to the Board of proof  
5 of compliance with the continuing education provisions of the General Statutes. The Board shall notify all podiatrists  
6 that 25 hours are required annually, including one hour of controlled substances prescribing practices and controlled  
7 substance prescribing for chronic pain management.

8 (b) General CME policy - 25 hours per year as follows:

9 (1) Completion of 25 hours of Continuing Medical Education (CME) is required per year (July 1-June  
10 30) for renewal of licensure. CME credits shall not be carried over from the previous licensure year.

11 (2) It shall be the responsibility of the individual podiatrist to ascertain in advance that the courses he  
12 or she attends have received proper approval of the certifying organizations, and comply with the  
13 *Standards, Requirements, and Guidelines for Approval of Sponsors of Continuing Education in*  
14 *Podiatric Medicine* of the Council on Podiatric Medical Education  
15 (<http://www.cpme.org/education/content.cfm?ItemNumber=2440&navItemNumber0=2249>),  
16 including updates. The website may be accessed at no charge. The Board shall respond in writing  
17 within 45 days of receipt by the Board of all needed documentation with approval or denial to  
18 individuals requesting approval of CME courses and credit hours. Decisions by the Board are the  
19 final agency decision and may be appealed as set out in G.S. 150B-23.

20 (3) Certificates of completion of courses other than those sponsored by the NC Foot and Ankle Society  
21 (NCF&AS) shall be submitted to the Board online using the Board's contracted electronic  
22 continuing education tracking system a CE Broker account which can be established at  
23 www.cebroker.com and that submission shall be on or before the submission of on a form provided  
24 by the Board with the podiatrist's annual license renewal documents. Completion certificates shall  
25 be typed and contain the following information:

- 26 (A) Podiatrist's name;
- 27 (B) Course name, location, and date;
- 28 (C) Number of hours CME completed;
- 29 (D) Signature of seminar chairperson; and
- 30 (E) Name of certifying or sponsoring agency; ~~and~~
- 31 ~~(F) Confirmation that the Course was either held in person or was synchronous virtual learning.~~

32 (4) A licensed podiatrist participating in the second or third year of a medical residency or fellowship  
33 may submit a letter signed by the podiatric residency or fellowship director stating the podiatrist's  
34 name and dates of residency. This shall substitute for the 25-credit hour requirement and CME  
35 certificate required by this Rule.

36 ~~(5) A podiatrist may submit his or her CME certificate(s) to the Board in facsimile, electronic, or hard~~  
37 ~~copy format at any time during the renewal year.~~

1           ~~(5)~~(6) The Board shall retain access to the CME documentation with the individual podiatrist's license  
2           renewal information.

3 (c) Category 1: Minimum requirement 20 hours per year, as follows:

4           (1) CME credit shall be granted for attendance at educational seminars offered by the NCF&AS. The  
5           number of qualifying hours of continuing education shall be determined and approved by the Board  
6           in advance based on the standards in 90-202.11. NCF&AS shall submit to the Board a listing of  
7           individuals attending its CME events and credits earned.

8           (2) CME credit shall be granted for attendance at educational seminars offered by other national, state,  
9           and podiatric education providers, as certified by the Council on Podiatric Medical Education  
10          (CPME) of the American Podiatric Medical Association (APMA). The number of qualifying hours  
11          of continuing education shall be determined and approved by the Board.

12          (3) Lecturers shall be granted one hour of credit for each hour of CPME- or APMA- approved lectures  
13          given, but such credit shall be limited to one hour for each discrete topic. A brief summary of the  
14          content of each lecture shall be submitted to the Board for approval.

15          (4) Category 1 is limited to live ~~in person or live synchronous virtual~~ educational seminars either offered  
16          by NCF&AS or by sponsors pre-approved by CPME:

17                <http://www.cpme.org> (CPME 700: "Approved Sponsors of Continuing Education in Podiatry").  
18                (APMA or CPME-approved online or journal courses are considered Category 2.)

19          (5) Since CPME evaluates only CME conducted in the United States, North Carolina-licensed  
20          podiatrists practicing outside the United States or participating in a foreign fellowship or other short-  
21          term residency abroad may apply to the Board to have their continuing medical education credits  
22          from their country of practice considered and evaluated by the Board on an individual basis.

23 (d) Category 2: A maximum of only 5 of the total 25 CME hours per year shall be allowed as follows:

24          (1) CME credit shall be allowed for educational programs approved for Category 1 credit by the  
25          American Medical Association (AMA) and the American Osteopathic Association (AOA) or their  
26          affiliated organizations.

27          (2) CME credit shall be allowed for courses approved by North Carolina Area Health Education Centers  
28          (AHEC).

29          (3) Online or medical journal courses approved by CPME are permitted.

30          (4) For courses not pre-approved by AHEC, AOA, or AMA, all requests for CME approval must  
31          contain a timeline and course description and be submitted to the Board for approval.

32 (e) Waiver for Certified Illness, Medical Condition, Natural Disaster, or Undue Hardship. The Board may waive the  
33 continuing education requirement for license renewal in the following cases that preclude a licensed podiatrist from  
34 completing his or her CME requirement within the 18-month timeframe from July 1 of the year of the last license or  
35 renewal issuance through December 31 of the following year:

1 (1) An unexpected illness or medical condition certified by a letter from a licensed physician, nurse  
2 practitioner (NP), or physician assistant (PA) regarding the licensee or the licensee's parents, spouse,  
3 children and other persons dependent upon the podiatrist for daily living supports; or

4 (2) An undue hardship (such as active military service or natural disaster).

5 In such cases, the Board shall issue a conditional license predicated on the licensee acquiring all of the required  
6 continuing education credits in a mutually-agreeable timeframe, but no later than 24 months after December 31 of the  
7 year following the latest year of license or renewal issuance. Requests for CME waiver shall be received by the Board  
8 before the end of the grace period deadline for license renewal. The Board may require additional information when  
9 necessary to confirm the need for exemption to support the licensee's claim. The Board shall notify the licensee of its  
10 decision in writing within 45 days of receipt by the Board of all needed documentation.

11

12 *History Note: Authority G.S. 90-202.4(g); 90-202.11; S.L. 2015-241, s. 12F.16(b) and (c);*

13 *Eff. February 1, 1976;*

14 *Amended Eff. June 1, 2013; October 1, 2012; February 1, 2012; November 1, 2011; June 1, 2011;*

15 *December 1, 1988;*

16 *Readopted Eff. March 1, 2016.*

17 *Amended Eff. March 1, 2024*

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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0613

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*In (8), line 13, delete "the" before "fee."*

*In (8), lines 13-14, consider changing the second sentence to "The returned check fee is \$12.00." Everything in the rule is to be effective on the same date.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis Wiggs  
Commission Counsel

1 21 NCAC 52 .0613 is amended as published in 38:01 NCR 23 as follows:

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3 **21 NCAC 52 .0613 FEE SCHEDULE**

4 The following fees shall apply:

5 (1) Application for examination (non-refundable) ~~\$300.00~~ \$350.00

6 (2) Examination (non-refundable) ~~\$50.00~~-\$100.00

7 (3) Re-Examination (~~application + exam fee, non-refundable~~) \$350.00

8 (4) License certificate \$100.00

9 (5) Annual License Renewal \$200.00

10 (6) License Renewal Late Fee (per month, up to 6 months) \$25.00

11 (7) Data Processing Fee for Pharmaceutical Verification as set forth in Rule .0210 of this Chapter  
12 \$300.00

13 (8) Returned check the fee as set forth in Rule .0612 of this Section. As of the effective date of this  
14 Rule that fee is \$12.00

15 (9) Incorporation for PA/PC/PLLC \$50.00

16 (10) Annual Corporate Renewal \$25.00

17 (11) Corporate Renewal Late Fee \$10.00

18

19 *History Note: Authority G.S. 90-202.5(a);90-202.6(c); 90-202.9; 90-202.10; 55B-10; 55B-11; 55B-12; 150B-*  
20 *19(5)(e);*

21 *Eff. April 1, 2013;*

22 *Readopted Eff. September 1, 2016.*

23 *Amended Eff. March 1, 2024*

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