

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Podiatry Examiners

RULE CITATION: All Submission for Permanent Rule Forms

DEADLINE FOR RECEIPT: Friday, August 15, 2014

NOTE WELL: 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:

Please verify the date that the agency adopted the Rules.

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Amber Cronk May
Commission Counsel
August 1, 2014

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0213

DEADLINE FOR RECEIPT: Friday, August 15, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made:

In (a), how does your regulated public know which fellowships are approved by the Council? Is this information available on your website?

In (d), where can the application be found? Is it available on your website? Also, what information is contained in the application? Is this information contained in another rule?

(d) is very awkward and somewhat unclear. Does the applicant just have to sign the form in front of a notary? Are you including language authorizing the release of information to the Board in the application form? What sort of information pertaining to the application is the Board going to require? The way it reads now, the Board will be responsible for obtaining this information, is that accurate? Will the Board only require this additional information if there are still questions remaining after receiving the required documentation or will it require the information in all cases? Is it necessary to have a statement regarding the authorization of the release of additional information given your requirement in (d)(11)? In addition to adding clarifying language, you may want to consider breaking this Paragraph into more than one paragraph, or at least more than one sentence.

In (d)(1) through (11), please correct the formatting in accordance with 21 NCAC 02C .0108.

Is there a reason that you offered an example of what is appropriate for proof in (d)(6) but not in (d)(3)?

In (d)(6), the and at the end is misplaced. Please move this to the end of the list.

In (d)(7), where do you want the official transcript sent? Is this the only thing that you want sent directly from the institution? What about the transcript of pre-podiatry college studies in (d)(4)?

In (d)(10), please delete "provide" to make this Subparagraph consistent with the rest of the list.

Amber Cronk May
Commission Counsel
August 1, 2014

In (d)(11), is the Board completing the application? Did you mean “if the Board needs more information to evaluate the application”?

In (e), what do you mean by “all necessary documentation”? Do you mean “required documentation in accordance with this Rule”?

It appears as though (f) should actually be moved to the end of (e) and not made another Paragraph.

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

1 21 NCAC 52.0213 is proposed for adoption as follows:

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3 **21 NCAC 52.0213 TEMPORARY LICENSE FOR CLINICAL RESIDENCY/FELLOWSHIP**
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5 (a) The Board may issue a temporary license to practice podiatry to any applicant for licensure, while the podiatrist
6 resides in North Carolina and is participating in a podiatric medical education and training clinical residency
7 ("clinical residency") or fellowship approved by the Council of Podiatric Medical Education (CPME), in accordance
8 with rules established in the most current version of "Standards and Requirements for Approval of Podiatric
9 Medicine and Surgery Residencies" (CPME 320) and the "JJRC and CPME Residency Requirements" available
10 from the CPME web site at
11 <http://www.cpme.org/residencies/content.cfm?ItemNumber=2444&navItemNumber=2245>, or "Standards and
12 Requirements for Approval of Podiatric Fellowships" (CPME 820) available from the CPME web site at
13 <http://www.cpme.org/fellowships/content.cfm?ItemNumber=2442&navItemNumber=2247>.

14 (b) A temporary license is valid only while the licensee is participating in the clinical residency or fellowship
15 program and shall not be extended beyond the length of training.

16 (c) A podiatrist holding a temporary license to practice in a clinical residency or fellowship program shall practice
17 only within the confines of that program and under the supervision of its director.

18 (d) In order to obtain a temporary resident's training license, an applicant shall submit a completed temporary
19 license application attesting under oath that the information on the application is true and complete, and authorizing
20 the release to the Board of all information pertaining to the application, attested by a notary public, including the
21 following documentation:

22 (1) documentation of legal name change, if applicable;

23 (2) a photograph, at least two inches by two inches;

24 (3) proof of an education equivalent to four years of instruction in a high school;

25 (4) transcript of pre-podiatry college studies from an accredited college or university showing a minimum
26 of two (2) years' of study;

27 (5) copy of college diploma;

28 (6) proof of graduation from podiatry school accredited by the Council of Medical Education of the
29 American Podiatry Medical Association (a copy of the diploma or a letter from the school will suffice); and

30 (7) official transcript of podiatry school studies sent directly from the institution;

31 (8) an appointment letter from the residency or fellowship program director, or his appointed agent, of the
32 Council on Podiatric Medical Education-approved residency or fellowship program, listing the beginning
33 and ending dates of the program;

34 (9) a signed consent form allowing a search of local, state, and national records for any criminal record;

35 (10) provide proof that the applicant has taken and passed:

36 (A) APMLE Part I within 3 attempts, and

37 (B) APMLE Part II within 3 attempts;

1 (11) upon request, supply any additional information the Board deems necessary to evaluate the applicant's
2 competence and character, including appear in person for an interview with the Board or its agent to
3 evaluate the applicant's competence and character, if the Board needs more information to complete the
4 application.

5 (e) Upon evaluation of the application, the Board shall either approve the application and issue a temporary license
6 within 30 days of receipt of the completed application and all necessary documentation, unless an interview is
7 necessary, in which case, the decision whether or not to issue the temporary license will occur within 30 days after
8 the interview, or

9 (f) notify the applicant within 30 days of receipt of the application that the temporary license has been denied and
10 the reasons for such denial.

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12 *History Note: Authority G.S. 90-202.5(b); 90-202.6; 93B-15.1;*

13 *Eff. September 1, 2014;*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0611

DEADLINE FOR RECEIPT: Friday, August 15, 2014

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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:

Are the requirements in (b)(1) through (6) forms or purposes? As written, (b) is confusing. It appears to me that they are Forms which would make the language regarding "the following purposes" unnecessary. Please revise the language to reflect the correct designation.

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

Amber Cronk May
Commission Counsel
August 1, 2014

1 21 NCAC 52 .0611 is proposed for amendment as follows:
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3 **21 NCAC 52 .0611 FORMS AND APPLICATIONS**

4 (a) The Board shall issue the following items:

- 5 (1) Certificate of Licensure;
- 6 (2) Licensure Renewal Card;
- 7 (3) Temporary License Certificate; and
- 8 (4) Certificate of Corporate Registration.

9 (b) The Board shall provide and require use of ~~its~~ the following application forms that may be obtained from
10 the Board's web site, <http://www.ncbpe.org> for the following ~~specific purposes that may be obtained from~~
11 ~~the Board's web site, <http://www.ncbpe.org>~~ purposes:

- 12 (1) Licensure Renewal Application;
- 13 (2) Disclaimer Form;
- 14 (3) Corporate Registration Application;
- 15 (4) Corporate Registration Renewal; ~~and~~
- 16 (5) Specialty Credentialing ~~Application. Application; and~~
- 17 (6) CME (Continuing Medical Education) Submission Form

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19 *History Note: Authority G.S. 90-202.4 (g); 90-202.6; 90-202.7; 90-202.9; ~~90-202.10~~; 90-20.10; 90-202.11; 55B-*
20 *10; 55B-11;*
21 *Eff. September 1, 2014; June 1, 2011.*
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