

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0213

DEADLINE FOR RECEIPT: Friday, September 12, 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 add a space in between 52 and .0213 in the title of this Rule.

Please delete the strike through line in between "Board" and "may" in (a), line 5.

In (a), lines 8-9, "Such CPME-approved clinical residency or fellowship shall be established and conducted in accordance..." is unclear. Are all CPME approved programs established and conducted in accordance with the requirements listed in lines (10) and (11)? If so, are lines (8) through (14) necessary?

In (b), line 25, please replace "such" with "The".

In (b)(11), line 36, please delete and/or and replace with "and" or "or", whichever is applicable. You may also want to consider revising (b)(11) to say "military services for self and spouse, if applicable."

In (b)(14), please delete "or not" after "whether."

In (b)(15), please delete "or not" after "whether." Please also delete "of same" at the end of the Subparagraph.

In (b)(16), please delete "or not" after "whether."

In (b)(18), please change "authorizing" to "authorization of the release..."

(c)(5) and (c)(6) are inconsistent. Is there a reason that you have only required a "copy of college diploma in (c)(5), but say "proof of a podiatry school..." in (c)(6)? Would revising (c)(6) to say "a copy of the diploma or letter from an accredited CPME-approved podiatry school" be accurate? Please note that this is only a suggestion for language.

In (c)(10), is the word "and" after "(NBPME)" and before "sent directly" necessary? It appears to be out of place.

Amber Cronk May
Commission Counsel
August 28, 2014

In (d), please correct ©(11).

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 28, 2014

1 21 NCAC 52.0213 is adopted with changes as published in NCR 28.22, pp. 2729-30, as follows:

2
3 **21 NCAC 52.0213 TEMPORARY LICENSE FOR CLINICAL RESIDENCY/FELLOWSHIP**

4
5 (a) ~~The Board may issue a temporary license to practice podiatry to any applicant podiatrist for licensure, licensure in~~
6 accordance with this Rule while the podiatrist resides in North Carolina and is participating in a podiatric medical
7 education and training clinical residency (“clinical residency”) or fellowship located in North Carolina and approved
8 by the Council of Podiatric Medical Education (CPME). ~~(CPME).~~ Such CPME-approved clinical residency or
9 fellowship shall be established and conducted in accordance with rules established in the most current version of
10 “Standards and Requirements for Approval of Podiatric Medicine and Surgery Residencies” (CPME 320) and the
11 “JJRC and CPME Residency Requirements” available from the CPME web site
12 at <http://www.cpme.org/residencies/content.cfm?ItemNumber=2444&navItemNumber=2245>, or “Standards and
13 Requirements for Approval of Podiatric Fellowships” (CPME 820) available from the CPME web site
14 at <http://www.cpme.org/fellowships/content.cfm?ItemNumber=2442&navItemNumber=2247>. A list of approved
15 clinical residencies is available from the CPME website
16 at <http://www.cpme.org/residencies/ResidenciesList.cfm?navItemNumber=2242>. A list of approved fellowships is
17 available from the CPME website
18 at <http://www.cpme.org/fellowships/content.cfm?ItemNumber=2441&navItemNumber=2246>.

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

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

23 ~~(b)~~ (b) In order to be approved by the Board for obtain a temporary resident’s or fellowship’s training license, an
24 applicant shall submit a completed temporary license ~~application~~ application, available from the Board’s website
25 at <http://www.ncbpe.org/content/licensure-exam>. Such application shall include the following:

- 26 (1) type of application (Regular, Temporary Military, or Temporary Clinical Residency or Fellowship);
27 (2) date of application;
28 (3) Social Security Number;
29 (4) full name (last name, first name, and middle name, if applicable);
30 (5) mailing address;
31 (6) city, state, and zip code;
32 (7) telephone number (“e.g.,” home, mobile, and business);
33 (8) email address;
34 (9) date of birth;
35 (10) whether or not a U.S. citizen;
36 (11) military service for self and/or spouse;

- 1 (12) education (high school, college/university, graduate or professional, and
2 residencies/internships/fellowships), including name and location of institution, dates attended,
3 whether graduated or completed, major/minor, and type of degree;
4 (13) previous licensure in another state or territory, including date of issue, date of expiration, whether
5 or not there were any disciplinary actions, and how license was obtained (examination, temporary,
6 or reciprocity);
7 (14) whether or not the applicant has had any of the following situations and explain such instances:
8 (A) had a license revoked, suspended, or cancelled;
9 (B) denied a license;
10 (C) denied the privilege of taking an examination;
11 (D) dropped, suspended, warned, placed on scholastic or disciplinary probation, expelled or
12 requested to resign from any school, college, or university or advised by any such school
13 or institution to discontinue studies therein;
14 (E) been a defendant in a legal action involving professional liability (malpractice), been
15 named in a malpractice suit, had a professional liability claim paid on the applicant's
16 behalf or paid such a claim;
17 (F) been a patient for treatment of mental illness;
18 (G) been addicted to alcohol or drugs; or
19 (H) been convicted of a felony;
20 (15) whether or not the applicant has taken the North Carolina licensure examination previously, and if
21 so, the date of same;
22 (16) whether or not the applicant will need any special accommodations and what those needs are;
23 (17) the applicant's reasons for applying for temporary license and future plans for practicing in the
24 state; and
25 (18) attesting an attestation under oath before a notary that the information on the application is true
26 and ~~complete~~, complete and authorizing the release to the Board of all information pertaining to
27 the ~~application~~, application, attested by a notary public,

28 (c) Such temporary application shall also require ~~including~~ inclusion of the following
29 additional ~~documentation~~: documentation, which may be sent to the Board either together with the application or
30 separately:

- 31 (1) documentation of legal name change, if applicable;
32 (2) a photograph, ~~at least~~ approximately two inches by two inches;
33 (3) proof of an education equivalent to four years of instruction in a high ~~school~~; school ("e.g.", copy
34 of the diploma or a letter from the high school);
35 (4) transcript of pre-podiatry college studies from an accredited college or university showing a
36 minimum of two ~~(2)~~ years² years of study;
37 (5) copy of college diploma;

- 1 (6) proof of graduation from a podiatry school accredited by CPME, a listing of such accredited
2 podiatry schools is available
3 from <http://www.cpme.org/colleges/content.cfm?ItemNumber=2425&navItemNumber=2240> the
4 Council of Medical Education of the American Podiatry Medical Association (“e.g.”, a copy of
5 the diploma or a letter from the ~~school will suffice~~; school); and
6 (7) official transcript of podiatry school studies sent directly from the ~~institution~~; institution to the
7 Board;
8 (8) an appointment letter from the residency or fellowship program director, or his appointed agent, of
9 the ~~Council on Podiatric Medical Education approved~~ CPME-approved residency or fellowship
10 program, listing the beginning and ending dates of the program;
11 (9) a signed consent ~~form~~ on the application allowing a search of local, state, and national records for
12 any criminal record;
13 (10) ~~provide proof~~ official copy of the grade letters from the National Board of Podiatric Medical
14 Examiners (NBPME) and sent directly from NBPME to the Board that the applicant has taken
15 and ~~passed~~; passed within three attempts;
16 (A) APMLE Part I ~~within 3 attempts~~; I; and
17 (B) APMLE Part II ~~within 3 attempts~~; II; and
18 (11) upon request, supply any additional information the Board deems necessary to evaluate the
19 applicant’s competence and character, including ~~appear~~ appearing in person for an interview with
20 the Board or its agent to evaluate the applicant’s competence and character, if the Board needs
21 more information to complete the application.
22 (e) (d) Upon evaluation of the application, the Board shall either approve the application and issue a temporary
23 license or deny the application within 30 days of receipt of the completed application based upon the information
24 provided and all necessary documentation, in accordance with this Rule, unless an interview
25 is ~~necessary~~; necessary. If the Board deems an interview necessary pursuant to Subparagraph ©(11) of this Rule, the
26 Board shall issue the decision within 30 days following the interview. If the Board denies the application, it shall
27 notify the applicant the reasons for the denial, in which case, the decision whether or not to issue the temporary
28 license will occur within 30 days after the interview, or notify the applicant within 30 days of receipt of the
29 application that the temporary license has been denied and the reasons for such denial.
30 (b) (f) A temporary license is valid only while the licensee is participating in the clinical residency or fellowship
31 program and shall not be extended beyond the length of training.
32 (e) (g) A podiatrist holding a temporary license to practice in a clinical residency or fellowship program shall
33 practice only within the confines of that program and under the supervision of its director.
34

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

36 *Eff. ~~October~~ September 1, 2014;*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Podiatry Examiners

RULE CITATION: 21 NCAC 52 .0611

DEADLINE FOR RECEIPT: Friday, September 12, 2014

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

In (a), when shall the Board issue the following items? In accordance with your 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 28, 2014

1 21 NCAC 52 .0611 is amended with changes as published in NCR 28:22, p. 2730, 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:] <http://www.ncbpe.org>;

- 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

18

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. ~~October~~ September 1, 2014; June 1, 2011.

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