

## LEGISLATIVE BILL 25

Approved by the Governor March 1, 2001

Introduced by Suttle, 10; Aguilar, 35; Smith, 48

AN ACT relating to podiatry; to amend section 71-173, Reissue Revised Statutes of Nebraska, and section 71-101, Revised Statutes Supplement, 2000; to redefine terms; to provide requirements for certain surgeries as prescribed; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-101, Revised Statutes Supplement, 2000, is amended to read:

71-101. Sections 71-101 to 71-1,107.30, 71-1,133 to 71-1,338, 71-1,343, 71-1301 to 71-1354, and 71-2801 to 71-2822 and section 3 of this act shall be known and may be cited as the Uniform Licensing Law.

For purposes of the Uniform Licensing Law, unless the context otherwise requires:

(1) Board or professional board means one of the boards appointed by the State Board of Health;

(2) Licensed, when applied to any licensee in any of the professions named in section 71-102, means a person licensed under the Uniform Licensing Law;

(3) Profession or health profession means any of the several groups named in section 71-102;

(4) Department means the Department of Health and Human Services Regulation and Licensure;

(5) Whenever a particular gender is used, it is construed to include both the masculine and the feminine, and the singular number includes the plural when consistent with the intent of the Uniform Licensing Law;

(6) License, licensing, or licensure means permission to engage in a health profession which would otherwise be unlawful in this state in the absence of such permission and which is granted to individuals who meet prerequisite qualifications and allows them to perform prescribed health professional tasks and use a particular title;

(7) Certificate, certify, or certification, with respect to professions, means a voluntary process by which a statutory, regulatory entity grants recognition to an individual who has met certain prerequisite qualifications specified by such regulatory entity and who may assume or use the word certified in the title or designation to perform prescribed health professional tasks. When appropriate, certificate means a document issued by the department which designates particular credentials for an individual;

(8) Lapse means the termination of the right or privilege to represent oneself as a licensed, certified, or registered person and to practice the profession when a license, certificate, or registration is required to do so; and

(9) Credentialing means the totality of the process associated with obtaining state approval to provide health care services or human services or changing aspects of a current approval. Credentialing grants permission to use a protected title that signifies that a person is qualified to provide the services of a certain profession. Credential includes a license, certificate, or registration.

Sec. 2. Section 71-173, Reissue Revised Statutes of Nebraska, is amended to read:

71-173. For ~~the purpose~~ purposes of the Uniform Licensing Law:

(1) The following persons shall be deemed to be practicing podiatry: Persons who publicly profess to be podiatrists or who publicly profess to assume the duties incident to the practice of podiatry;

(2) Practice of podiatry ~~is defined to be~~ means the diagnosis or medical, physical, or surgical treatment of the ailments of the human foot, ankle, and related governing structures except (a) the amputation of the forefoot, (b) the general medical treatment of any systemic disease causing manifestations in the foot, and (c) the administration of anesthetics other than local; and

(3) Podiatrist ~~shall mean~~ means a physician of the foot, ankle, and related governing structures.

Sec. 3. A podiatrist shall not perform surgery on the ankle other than in a licensed hospital or ambulatory surgical center, and a podiatrist who performs surgery on the ankle in a licensed hospital or ambulatory

surgical center shall have successfully completed an advanced postdoctoral surgical residency program of at least one year's duration which is recognized as suitable for that purpose by the Board of Podiatry.

No podiatrist initially licensed in this state on or after September 1, 2001, shall perform surgery on the ankle unless such person has successfully completed an advanced postdoctoral surgical residency program of at least two years' duration which is recognized as suitable for that purpose by the Board of Podiatry.

Sec. 4. Original section 71-173, Reissue Revised Statutes of Nebraska, and section 71-101, Revised Statutes Supplement, 2000, are repealed.