

AMENDED IN ASSEMBLY MARCH 28, 2017

CALIFORNIA LEGISLATURE—2017—18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1153**

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**Introduced by Assembly Member Low**

February 17, 2017

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An act to amend Section 2472 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1153, as amended, Low. Podiatry.

Existing law provides for the certification and regulation of podiatrists by the California Board of Podiatric Medicine within the jurisdiction of the Medical Board of California. ~~Existing law prohibits a doctor of podiatric medicine from personally administering an anesthetic other than local.~~ *Under existing law, the certificate to practice podiatric medicine authorizes the holder to practice podiatric medicine and defines "podiatric medicine" to mean the diagnosis, medical, surgical, mechanical, manipulative, and electrical treatment of the human foot, including the ankle and tendons that insert into the foot and the nonsurgical treatment of the muscles and tendons of the leg governing the functions of the foot. Existing law imposes certain limitations on the surgical treatment that a doctor of podiatric medicine may perform, including limiting surgical treatment to specific types of medical facilities.*

~~This bill would make a nonsubstantive change to that anesthetic provision.~~

*This bill would authorize a doctor of podiatric medicine to perform any procedure directly related to the surgical treatment of the ankle and tendons in such a medical facility that grants privileges to the*

doctor of podiatric medicine to perform the procedure. The bill would also authorize a doctor of podiatric medicine to treat ulcers resulting from local and systemic etiologies on the leg no further proximal than the tibial tubercle.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2472 of the Business and Professions
- 2 Code is amended to read:
- 3 2472. (a) The certificate to practice podiatric medicine
- 4 authorizes the holder to practice podiatric medicine.
- 5 (b) As used in this chapter, "podiatric medicine" means the
- 6 diagnosis, medical, surgical, mechanical, manipulative, and
- 7 electrical treatment of the human foot, including the ankle and
- 8 tendons that insert into the foot and the nonsurgical treatment of
- 9 the muscles and tendons of the leg governing the functions of the
- 10 foot.
- 11 (c) A doctor of podiatric medicine shall not administer an
- 12 anesthetic other than local. If an anesthetic other than local is
- 13 required for any procedure, the anesthetic shall be administered
- 14 by another licensed health care practitioner who is authorized to
- 15 administer the required anesthetic within the scope of his or her
- 16 practice.
- 17 (d) (1) A doctor of podiatric medicine who is ankle certified
- 18 by the board on and after January 1, 1984, may do the following:
- 19 (A) Perform surgical treatment of the ankle and tendons at the
- 20 level of the ankle pursuant to subdivision (e).
- 21 (B) Perform services under the direct supervision of a physician
- 22 and surgeon, as an assistant at surgery, in surgical procedures that
- 23 are otherwise beyond the scope of practice of a doctor of podiatric
- 24 medicine.
- 25 (C) Perform a partial amputation of the foot no further proximal
- 26 than the Chopart's joint.
- 27 (2) Nothing in this subdivision shall be construed to permit a
- 28 doctor of podiatric medicine to function as a primary surgeon for
- 29 any procedure beyond his or her scope of practice.

1 (e) A doctor of podiatric medicine may perform surgical  
2 treatment of the ankle and tendons at the level of the ankle only  
3 in the following locations:

4 (1) A licensed general acute care hospital, as defined in Section  
5 1250 of the Health and Safety Code.

6 (2) A licensed surgical clinic, as defined in Section 1204 of the  
7 Health and Safety Code, if the doctor of podiatric medicine has  
8 surgical privileges, including the privilege to perform surgery on  
9 the ankle, in a general acute care hospital described in paragraph  
10 (1) and meets all the protocols of the surgical clinic.

11 (3) An ambulatory surgical center that is certified to participate  
12 in the Medicare program under Title XVIII (42 U.S.C. Sec. 1395  
13 et seq.) of the federal Social Security Act, if the doctor of podiatric  
14 medicine has surgical privileges, including the privilege to perform  
15 surgery on the ankle, in a general acute care hospital described in  
16 paragraph (1) and meets all the protocols of the surgical center.

17 (4) A freestanding physical plant housing outpatient services  
18 of a licensed general acute care hospital, as defined in Section  
19 1250 of the Health and Safety Code, if the doctor of podiatric  
20 medicine has surgical privileges, including the privilege to perform  
21 surgery on the ankle, in a general acute care hospital described in  
22 paragraph (1). For purposes of this section, a “freestanding physical  
23 plant” means any building that is not physically attached to a  
24 building where inpatient services are provided.

25 (5) An outpatient setting accredited pursuant to subdivision (g)  
26 of Section 1248.1 of the Health and Safety Code.

27 (f) *Notwithstanding subdivision (b), a doctor of podiatric*  
28 *medicine may do the following:*

29 (1) *Perform any procedure that is directly related to the surgical*  
30 *treatment of the ankle and tendons in a facility described in*  
31 *subdivision (e) that grants privileges to the doctor of podiatric*  
32 *medicine to perform the procedure, including, but not limited to,*  
33 *the privilege to perform surgery on the ankle.*

34 (2) *Treat ulcers resulting from local and systemic etiologies on*  
35 *the leg no further proximal than the tibial tubercle.*

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