

# D R A F T

## SUMMARY

Specifies that podiatry includes diagnosis and treatment of ailments of soft tissue distal to tibial tubercle.

### A BILL FOR AN ACT

Relating to podiatry; amending ORS 677.010.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 677.010 is amended to read:

677.010. As used in this chapter, subject to the exemptions in ORS 677.060 and unless the context requires otherwise:

(1) “Approved internship” means the first year of post-graduate training served in a hospital that is approved by the board or by the Accreditation Council of Graduate Medical Education, the American Osteopathic Association or the Royal College of Physicians and Surgeons of Canada.

(2) “Approved school of medicine” means a school offering a full-time resident program of study in medicine or osteopathic medicine leading to a degree of Doctor of Medicine or Doctor of Osteopathic Medicine, such program having been fully accredited or conditionally approved by the Liaison Committee on Medical Education, or its successor agency, or the American Osteopathic Association, or its successor agency, or having been otherwise determined by the board to meet the association standards as specifically incorporated into board rules.

(3) “Board” means the Oregon Medical Board.

(4) “Diagnose” means to examine another person in any manner to determine the source or nature of a disease or other physical or mental condition,

1 or to hold oneself out or represent that a person is so examining another  
2 person. It is not necessary that the examination be made in the presence of  
3 such other person; it may be made on information supplied either directly  
4 or indirectly by such other person.

5 (5) "Dispense" means the preparation and delivery of a prescription drug,  
6 pursuant to a lawful order of a practitioner, in a suitable container appro-  
7 priately labeled for subsequent administration to or use by a patient or other  
8 individual entitled to receive the prescription drug.

9 (6) "Dispensing physician" means a physician or podiatric physician and  
10 surgeon who purchases prescription drugs for the purpose of dispensing them  
11 to patients or other individuals entitled to receive the prescription drug and  
12 who dispenses them accordingly.

13 (7) "Drug" means all medicines and preparations for internal or external  
14 use of humans, intended to be used for the cure, mitigation or prevention of  
15 diseases or abnormalities of humans, which are recognized in any published  
16 United States Pharmacopoeia or National Formulary, or otherwise estab-  
17 lished as a drug.

18 (8) "Fellow" means an individual who has not qualified under ORS 677.100  
19 (1) and (2) and who is pursuing some special line of study as part of a  
20 supervised program of a school of medicine, a hospital approved for  
21 internship or residency training, or an institution for medical research or  
22 education that provides for a period of study under the supervision of a re-  
23 sponsible member of that hospital or institution, such school, hospital or  
24 institution having been approved by the board.

25 (9) "Intern" means an individual who has entered into a hospital or hos-  
26 pitals for the first year of post-graduate training.

27 (10) "License" means permission to practice, whether by license, regis-  
28 tration or certification.

29 (11) "Licensee" means an individual holding a valid license issued by the  
30 board.

31 (12) "Physical incapacity" means a condition that renders an individual

1 licensed under this chapter unable to practice under that license with pro-  
2 fessional skill and safety by reason of physical illness or physical deteri-  
3 oration that adversely affects cognition, motor or perceptive skill.

4 (13) "Physician" means a person who holds a degree of Doctor of Medicine  
5 or Doctor of Osteopathic Medicine, or a person who holds a degree of Doctor  
6 of Podiatric Medicine if the context in which the term "physician" is used  
7 does not authorize or require the person to practice outside the scope of a  
8 license issued under ORS 677.805 to 677.840.

9 (14) "Podiatric physician and surgeon" means a physician licensed under  
10 ORS 677.805 to 677.840 to treat ailments of the human foot, ankle and  
11 tendons directly attached to and governing the function of the foot and an-  
12 kle.

13 (15)(a) "Podiatry" means:

14 (A) The diagnosis or the medical, physical or surgical treatment of  
15 ailments of the human foot, ankle and tendons directly attached to and  
16 governing the function of the foot and ankle, **including soft tissue distal**  
17 **to the tibial tubercle**, except treatment involving the use of a general or  
18 spinal anesthetic unless the treatment is performed in a hospital licensed  
19 under ORS 441.025 or in an ambulatory surgical center licensed by the  
20 Oregon Health Authority and is under the supervision of or in collaboration  
21 with a podiatric physician and surgeon; and

22 (B) Assisting in the performance of surgery, as provided in ORS 677.814.

23 (b) "Podiatry" does not include administering general or spinal anesthet-  
24 ics or the amputation of the entire foot.

25 (16) "Prescribe" means to direct, order or designate the use of or manner  
26 of using by spoken or written words or other means.

27 (17) "Resident" means an individual who, after the first year of post-  
28 graduate training, in order to qualify for some particular specialty in the  
29 field of medicine, pursues a special line of study as part of a supervised  
30 program of a hospital approved by the board.

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