

# A-Engrossed House Bill 2817

Ordered by the House April 6  
Including House Amendments dated April 6

Sponsored by Representatives EVANS, NOSSE; Representatives CONRAD, DIEHL, GOODWIN, JAVADI, MORGAN, NELSON, PHAM H (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Clarifies area of leg to which definition of "podiatry" applies.

## A BILL FOR AN ACT

1  
2 Relating to podiatry; amending ORS 677.010.

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

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

5 677.010. As used in this chapter, subject to the exemptions in ORS 677.060 and unless the con-  
6 text requires otherwise:

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

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

16 (3) "Board" means the Oregon Medical Board.

17 (4) "Diagnose" means to examine another person in any manner to determine the source or na-  
18 ture of a disease or other physical or mental condition, or to hold oneself out or represent that a  
19 person is so examining another person. It is not necessary that the examination be made in the  
20 presence of such other person; it may be made on information supplied either directly or indirectly  
21 by such other person.

22 (5) "Dispense" means the preparation and delivery of a prescription drug, pursuant to a lawful  
23 order of a practitioner, in a suitable container appropriately labeled for subsequent administration  
24 to or use by a patient or other individual entitled to receive the prescription drug.

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

28 (7) "Drug" means all medicines and preparations for internal or external use of humans, in-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 tended to be used for the cure, mitigation or prevention of diseases or abnormalities of humans,  
2 which are recognized in any published United States Pharmacopoeia or National Formulary, or  
3 otherwise established as a drug.

4 (8) "Fellow" means an individual who has not qualified under ORS 677.100 (1) and (2) and who  
5 is pursuing some special line of study as part of a supervised program of a school of medicine, a  
6 hospital approved for internship or residency training, or an institution for medical research or ed-  
7 ucation that provides for a period of study under the supervision of a responsible member of that  
8 hospital or institution, such school, hospital or institution having been approved by the board.

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

11 (10) "License" means permission to practice, whether by license, registration or certification.

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

13 (12) "Physical incapacity" means a condition that renders an individual licensed under this  
14 chapter unable to practice under that license with professional skill and safety by reason of physical  
15 illness or physical deterioration that adversely affects cognition, motor or perceptive skill.

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

20 (14) "Podiatric physician and surgeon" means a physician licensed under ORS 677.805 to 677.840  
21 to treat ailments of the human foot, ankle and tendons directly attached to and governing the  
22 function of the foot and ankle.

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

24 (A) The diagnosis or the medical, physical or surgical treatment of ailments of the human foot,  
25 ankle and tendons directly attached to and governing the function of the foot and ankle, [except]  
26 **and** treatment involving the use of a general or spinal anesthetic [unless the] **if that** treatment is  
27 performed in a hospital licensed under ORS 441.025 or in an ambulatory surgical center licensed by  
28 the Oregon Health Authority and is under the supervision of or in collaboration with a podiatric  
29 physician and surgeon; [and]

30 (B) Assisting in the performance of surgery, as provided in ORS 677.814[.]; **and**

31 **(C) The treatment of skin, skin-related structures and subcutaneous masses, and wounds**  
32 **involving skin, skin-related structures and subcutaneous masses, on the human leg no fur-**  
33 **ther proximal than the tibial tubercle.**

34 (b) "Podiatry" does not include administering general or spinal anesthetics or the amputation  
35 of the entire foot.

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

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