

Rules of Department of Economic Development

Division 230–State Board of Podiatric Medicine Chapter 2–General Rules

Title	Page
4 CSR 230-2.010 Application for Licensure by Examination	3
4 CSR 230-2.020 Professional Conduct Rules	3
4 CSR 230-2.021 Advertising Regulation.....	4
4 CSR 230-2.022 Podiatry Titles	5
4 CSR 230-2.030 Biennial License Renewal	5
4 CSR 230-2.040 Loss of License (Rescinded April 11, 1982).....	6
4 CSR 230-2.041 Public Complaint Handling and Disposition Procedure.....	6
4 CSR 230-2.045 Public Records	9
4 CSR 230-2.050 Reciprocity.....	9
4 CSR 230-2.060 Temporary Certificate (Rescinded September 11, 1987).....	9
4 CSR 230-2.065 Temporary Licenses for Internship/Residency	9
4 CSR 230-2.070 Fees	10
4 CSR 230-2.071 Transitional Renewal Fees (Rescinded November 12, 1987)	10

**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 230—State Board of Podiatric
Medicine**

Chapter 2—General Rules

**4 CSR 230-2.010 Application for Licen-
sure by Examination**

*PURPOSE: This rule outlines the require-
ments and procedures for obtaining a podia-
try license by examination.*

(1) Applications for a permanent Missouri license to practice podiatry must be made on the forms provided by the board.

(2) Every applicant for a permanent license graduating from a podiatric medical school in 1994 and after that shall provide the State Board of Podiatry with satisfactory evidence of having completed an acceptable postgraduate clinical residency.

(3) For purposes of this rule, a clinical residency is a formal, structured postdoctoral training program of at least twelve (12) months which is approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association. Clinical residency programs must be sponsored by and conducted in an institution such as a hospital, or conducted by a college of podiatric medicine accredited by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

(4) Effective January 1, 2005, all applicants desiring to perform ankle surgery will be required to complete a twenty-four (24)-month residency in podiatric surgery.

(5) All applicants must be evaluated upon completion of the residency program by the residency director, using forms provided by the board, which will attest to the candidate's competence in the practice of podiatric medicine and surgery.

(6) Upon completion of the residency program, all candidates must satisfy the board that s/he has not been the subject of disciplinary action concerning professional conduct or practice and meet other requirements as may be established by the board.

(7) Application forms may be obtained from the board's executive director at P.O. Box 423, Jefferson City, MO 65102-0423. A copy of the current statutory provisions and board rules regarding the practice of podiatry will be provided with the application form.

(8) No application for examination will be considered unless it is fully completed and properly attested. Items necessary to complete the application include:

(A) Each section on the application form itself;

(B) A recent unmounted photograph two and one-fourth inches by two and one-fourth inches (2 1/4" × 2 1/4");

(C) The current examination fee and application fee;

(D) An official transcript from a college of podiatric medicine;

(E) A certified score report from the National Board of Podiatry Examiners; and

(F) A copy of the applicant's diploma evidencing graduation from an approved college of podiatry no larger than six inches by eight inches (6" × 8").

(9) Applications must be received by the board's executive director no later than thirty (30) days prior to the examination. Applications received or completed less than thirty (30) days before the next scheduled examination will not be considered for that examination, but will be considered for the following examination.

(10) Each applicant must successfully complete the examination administered by the National Board of Podiatric Medical Examiners (N.B.P.M.E.). In addition, each applicant must successfully complete the examination administered by the board. Beginning with the examination to be administered in December 1989, the board will administer the national board's podiatric medical licensure examination for states, the PMLexis and an examination on Missouri law. The Missouri board recognizes applicants who passed the Virginia Licensing Examination in 1985 and through 1988 or the PMLexis in 1988 or later as fulfilling the requirement of passing the PMLexis. The Missouri board will recognize the standards for passage of either examination based on the standards established by the state administering the examination. Only those applicants achieving a passing score as established by the N.B.P.M.E. on the PMLexis administered by the Missouri board, and achieving at least ninety percent (90%) on the open book test on Missouri law, shall be deemed to have passed the board's examination.

(11) All examinations will be conducted in the English language.

(12) No private examinations will be conducted by the board.

AUTHORITY: sections 330.010.1 and 330.140.1, RSMo Supp. 1998 and 330.040, RSMo 1994. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Rescinded and readopted: Filed Dec. 9, 1981, effective March 11, 1982. Amended: Filed Nov. 12, 1982, effective Feb. 11, 1983. Amended: Filed Oct. 24, 1983, effective March 11, 1984. Amended: Filed Nov. 5, 1984, effective March 11, 1985. Emergency amendment filed Oct. 13, 1989, effective Nov. 11, 1989, expired March 10, 1990. Amended: Filed Oct. 13, 1989, effective Jan. 12, 1990. Amended: Filed March 4, 1991, effective Sept. 30, 1991. Amended: Filed Feb. 4, 1992, effective June 25, 1992. Amended: Filed Aug. 9, 1993, effective March 10, 1994. Amended: Filed June 1, 1999, effective Nov. 30, 1999.*

**Original authority: 330.010, RSMo 1939, amended 1945, 1961, 1969, 1976, 1995, 1998; 330.040, RSMo 1939, amended 1981; and 330.140.1, RSMo 1945, amended 1981, 1993, 1995, 1998.*

Op. Atty. Gen. No. 133, Fulkerson (3-6-70). The General Business and Corporation Law of Missouri, which permits corporations to be organized for any lawful purpose, does not authorize organization of a corporation to engage in practice of chiropody-podiatry where statute regulating such practice contemplates only licensing of individuals.

Op. Atty. Gen. No. 37, Hansen (6-27-56). It would not be lawful for the State Board of Chiropody to accept the examination of the National Board of Chiropody Examiners as a written examination given by the board and in lieu of examination by the board.

**4 CSR 230-2.020 Professional Conduct
Rules**

*PURPOSE: This rule explains the profession-
al conduct required of licensed podiatrists.*

(1) It will be considered dishonesty in the practice of podiatry for a licensed podiatrist to use a trade name or assumed name in connection with his/her practice, unless the name of the podiatrist using that trade name or assumed name also appears along with the trade or assumed name.

(2) Nothing in section (1) of this rule will be construed to prohibit practice by a partnership of podiatrists under an assumed name or trade name, or the practice of podiatry under a legally-formed professional corporation; provided, however, that where this partnership uses an assumed or trade name in connection with its practice, all of the names of

the podiatrists who are partners in the partnership must appear along with the trade or assumed name, provided further, that where a professional corporation uses an assumed or trade name in connection with a practice, the name of each shareholder in the professional corporation must appear along with the trade or assumed name.

AUTHORITY: sections 330.140.1, and 330.160.2(6), RSMo 1986. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Rescinded and readopted: Filed Jan. 4, 1980, effective April 11, 1980. Rescinded and readopted: Filed Dec. 9, 1981, effective March 11, 1982.*

**Original authority: 330.040.1, RSMo 1945, amended 1981 and 330.160, RSMo 1939, amended 1951, 1981.*

Op. Atty. Gen. No. 37, Hansen (11-21-55). Board can revoke or suspend chiropodist's license for unprofessional conduct even though statute does not define the term. Board has no authority to declare all advertising to be unprofessional conduct nor authority to revoke chiropodist's license on these grounds except for such advertising as can be deemed to be unprofessional because it is immoral or dishonorable.

Op. Atty. Gen. No. 37, Hansen (4-28-55). License of lady chiropodist may not be revoked for having two (2) entries in the classified section of telephone directory; one (1) entry under her former surname referring to the second entry listed under her present surname.

Op. Atty. Gen. No. 37, Hansen (1-13-55). False, misleading or deceitful advertising by a chiropodist may be sufficient ground for revocation of license to practice chiropody.

Op. Atty. Gen. No. 37, Hansen (12-14-54). Advertising by licensed chiropodists in violation of code of professional ethics promulgated by board is not sufficient basis for license revocation.

4 CSR 230-2.021 Advertising Regulation

PURPOSE: This rule sets forth the content and methods by which podiatrists who are licensed by the State Board of Podiatry may advertise their services to the public in Missouri.

(1) Nothing in these rules shall be construed as allowing any advertisement or solicitation which is false, misleading or deceptive. Any

advertisement or solicitation which is false, misleading or deceptive is prohibited.

(2) Any podiatrist whose office or practice is the subject of any advertisement or solicitation is responsible for the form and content of that advertisement or solicitation.

(3) Definitions. The following words and terms when used in this rule shall have the following meanings:

(A) The term advertisement shall mean any attempt, directly or indirectly, by publication, dissemination or circulation in print, or electronic media which, directly or indirectly, induces or attempts to induce any person or entity to purchase or enter into an agreement to purchase services, treatment or related goods from a podiatrist;

(B) The term electronic media shall include radio and television; and

(C) The term print media shall include, but not be limited to, newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers, billboards, signs, matchcovers and other items, documents or comparable publications, the content of which is disseminated by means of the printed word;

(D) The term range of fees shall refer to an expressly stated upper and lower limit on the fees charged for services or goods offered by a podiatrist;

(E) The term solicitation shall mean any conduct other than that which has been defined as advertising which occurs outside the podiatrist's office and which, directly or indirectly, induces or attempts to induce any person or entity to purchase or enter into an agreement to purchase services, treatment or related goods from a podiatrist.

(4) A podiatrist shall maintain a record of all advertisements and solicitations including, but not limited to:

(A) A recording or transcript, including any visual images broadcast, shall be maintained for a period of three (3) years together with the name of the television or radio station(s) and the date(s) of broadcast for any advertisement in electronic media;

(B) An actual copy, photocopy or photograph of any advertisement in print media shall be maintained for a period of three (3) years together with the name of the publication(s) or location(s) of publication or display and the date(s) of publication or display;

(C) A memorandum or other written record of every solicitation shall be maintained for a period of three (3) years. The memorandum or written record shall include

the content, time, date and location of the solicitations; and

(D) Failure to maintain these records shall constitute misconduct.

(5) Podiatrists may use advertisements as defined in sections (3) and (4).

(6) Podiatrists may engage in solicitation, personally or through agents or representatives, except podiatrists may *not* advertise or solicit using—

(A) Any form of aerial display; and

(B) Sound equipment from a motor vehicle.

(7) False, misleading or deceptive advertising or soliciting includes, but is not limited to, the following:

(A) Use of a trade name or assumed name in connection with a podiatrist's practice, unless the name of the podiatrist using that trade name or assumed name also appears along with the trade or assumed name. Nothing in this rule will be construed to prohibit practice by a partnership of podiatrists under an assumed name or trade name, or the practice of podiatry under a legally formed professional corporation; provided, however, that where the partnership uses an assumed or trade name in connection with its practice, all of the names of the podiatrists who are partners in the partnership must appear along with the trade or assumed name; provided further, that where a professional corporation uses an assumed or trade name in connection with a practice, the name of each shareholder in the professional corporation must appear along with the trade or assumed name;

(B) Statements of any nature which indicate that a certain podiatrist performs all of the work, when, in fact, all or part of the work or service is performed by another;

(C) Any offer of a professional service which the podiatrist knows or should know is beyond the podiatrist's ability to perform or which is for any other reason not readily available;

(D) Any advertisement or solicitation which suppresses, omits or conceals any material fact under circumstances which a podiatrist knows or should know that the suppression, omission or concealment is improper or prohibits a prospective patient from making a full and informed judgment on the basis of the information set forth;

(E) Any advertisement which fails to identify the podiatrist's profession by not including the word podiatrist, doctor of podiatry or DPM following the podiatrist's name;

(F) Those types of advertisements or solicitation specified in section 330.160.2(14), RSMo;

(G) Any advertisement or solicitation which, through method of delivery or through content, is intended to or is reasonably likely to result in undue pressure, undue influence or overreaching with regard to a prospective patient;

(H) Any offer to pay, give or accept a fee or other consideration to or from a third party for the referral of a patient;

(I) Any offer of goods or services for a specific fee, range of fees, discount or for free which is not honored for a minimum of ninety (90) days following the last advertisement or solicitation or for the other specific time period set forth in the advertisement or solicitation. If the offer sets forth a specific time period, the time period may be less than ninety (90) days;

(J) Any offer of free goods or services without disclosing that other goods or services which are ordinarily required in connection with the free goods or services are not free, unless those other goods or services are also offered free of charge; and

(K) Any offer of goods or services for no fee or for a discount which does not include the regular fee or range of fees for those goods or services. As an alternative, the offer may state that the regular fee services will be provided to any member of the public upon request. At the time that the regular fee or range of fees is provided in response to a request, information regarding the specific time period during which the regular fee or range of fees will be honored, must be provided.

AUTHORITY: section 330.140.1, RSMo Supp. 1997. Original rule filed Oct. 15, 1985, effective Jan. 12, 1986. Amended: Filed Nov. 4, 1986, effective Jan. 30, 1987. Amended: Filed May 16, 1995, effective Dec. 30, 1995. Amended: Filed Oct. 30, 1997, effective April 30, 1998.*

**Original authority: 330.140.1, RSMo 1945, amended 1981, 1993, 1995.*

4 CSR 230-2.022 Podiatry Titles

PURPOSE: This rule clarifies that no person other than a licensed podiatrist may use the podiatry titles defined in this rule.

(1) Only persons who hold a license to practice podiatry in this state may use the words podiatry, podiatric, podiatrist, foot specialist, chiropody or chiropodist, or variations of these words in connection with his/her prac-

tice. Any person who holds a license to practice podiatry in this state may also use the abbreviation DPM in connection with his/her practice. No other person shall assume any title or use any abbreviation or other words including, but not limited to, the words and abbreviation listed in this rule, letters, signs or devices to indicate the person using the same is a licensed podiatrist.

AUTHORITY: section 330.140.1, RSMo 1986. Original rule filed Aug. 11, 1992, effective Feb. 26, 1993.*

**Original authority: 330.140.1, RSMo 1945, amended 1981.*

4 CSR 230-2.030 Biennial License Renewal

PURPOSE: This rule clarifies the license renewal requirements and procedures.

(1) All Missouri podiatric physicians must notify the board's executive director of all offices, shared or individual; or changes in office addresses and designate at which address mail is to be received.

(2) Each applicant for licensure renewal must provide a certificate of attendance for twelve (12) hours each year of board approved continuing medical education (CME). Applicants who qualify under section 330.010.2, RSMo Supp. 1996 to perform surgery of the ankle must submit an additional thirteen (13) hours each year of CME. A copy of Foot & Ankle Board Certification or certificate of a two (2)-year residency program must be on file with the state board for acceptance of the additional CMEs, before an endorsement of "Ankle Surgery Certified" will be added to their renewal certificate.

(3) The reporting period for satisfying the CME requirements shall be January 1 through December 31 of each year preceding the year of licensure beginning March 1. On or before January 1, of the year of licensure, each licensed podiatrist shall submit certificates of attendance for the appropriate number of CME hours which must be board approved. However, this requirement may be fulfilled by the CME sponsor submitting a list of all Missouri attendee(s) to the board. It is, ultimately, the licensee's responsibility to assure the board receives evidence of the CMEs. The certificate of attendance must indicate the date and place of the meeting, the number of approved CME hours, and must be signed by the sponsor's chairman or secretary. This should be mailed to P.O. Box 423, Jefferson City, MO 65102.

(4) Upon receipt of the appropriate number of CME hours (twelve (12) or twenty-five (25)) each year, the board will issue a receipt to confirm that the CME requirements have been met for that year.

(5) Educational programs that are currently approved by the board include:

(A) Educational programs approved by the American Podiatric Medical Association;

(B) Educational programs, appropriate to the practice of podiatry as approved by the board, presented by a hospital which is accredited by the Joint Commission on Hospital Accreditation or its equivalent; and

(C) For the first renewal of a podiatrist's license, the board will consider the successful completion of the PMLexis exam as satisfying the twelve (12) hours of continuing education of one (1) year required by this rule if the PMLexis exam was taken within the continuing education reporting period.

(6) Any other regularly organized group of podiatrists that wishes to sponsor an educational program to meet the standard for biennial license renewal in Missouri must submit one (1) copy of the program schedule, the outline, and the appropriate fee to the board's executive director not less than sixty (60) days prior to the date of the program. The outline must indicate the program's subject matter, the number of hours required for its presentation and the identity and qualifications of the speakers and instructors. After reviewing the schedule and outline, the board may grant approval. The board will also consider requests for approval of any meeting submitted after the meeting. When any continuing education program is attended which does not have current board approval and the sponsor has not submitted the outline, or the appropriate sponsor's fee, the individual attendee(s) may submit a copy of the program, evidence of attendance as specified in section (3) of this rule, and the appropriate sponsor's fee. If the program is approved by the board, the credit will be accepted and the licensee's record updated.

(7) Exception to the provisions of this rule is granted to those registrants who are in training at a residency program approved by the Council of Podiatric Medical Education of the American Podiatric Medical Association. The residency program director must submit a letter to the board attesting that the resident is currently in good standing and indicating the date on which training is due to be completed.

(8) Applications for license renewal received in the board's office more than one (1) year,

but less than five (5) years, after the renewal date will be renewed upon payment of the current renewal fee, applicable reactivation fee and upon providing satisfactory evidence of completing the continuing education requirements for each year. In addition, each applicant must successfully complete the reactivation examination administered by the board. No license will be renewed more than five (5) years after the renewal date. Complete reapplication is required.

AUTHORITY: sections 330.070.4, RSMo 1994, and 330.010.2, and 330.140.1, RSMo Supp. 1998. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Rescinded and readopted: Filed Dec. 9, 1981, effective March 11, 1982. Amended: Filed Nov. 12, 1982, effective Feb. 11, 1983. Amended: Filed Dec. 6, 1982, effective March 11, 1983. Amended: Filed Sept. 24, 1984, effective Feb. 13, 1985. Amended: Filed Oct. 15, 1985, effective Jan. 12, 1986. Amended: Filed July 17, 1989, effective Oct. 12, 1989. Amended: Filed Aug. 2, 1991, effective Dec. 9, 1991. Amended: Filed Feb. 4, 1992, effective June 25, 1992. Amended: Filed Oct. 30, 1997, effective May 30, 1998. Amended: Filed Aug. 20, 1998, effective Jan. 30, 1999. Amended: Filed April 29, 1999, effective Oct. 30, 1999.*

**Original authority: 330.010.2, RSMo 1939, amended 1945, 1961, 1969, 1976, 1995, 1998; 330.070 RSMo 1945, amended 1947, 1971, 1981; and 330.140.1, RSMo 1945, amended 1981, 1993, 1995, 1998.*

Op. Atty. Gen. No. 410, Fulkerson (12-5-68). *It would be valid exercise of inherent police power of state to adopt legislation requiring reasonable "continuing education" program in the field of podiatry as condition to annual registration.*

4 CSR 230-2.040 Loss of License
(Rescinded April 11, 1982)

AUTHORITY: section 330.141, RSMo Supp. 1981. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Rescinded: Filed Jan. 12, 1982, effective April 11, 1982.

4 CSR 230-2.041 Public Complaint Handling and Disposition Procedure

PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints by the board, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo.

(1) The State Board of Podiatric Medicine shall receive and process each complaint made against any licensee, permit holder, registrant of the board or unlicensed individual or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 330, RSMo. Any member of the public or the profession or any federal, state or local official, may make and file a complaint with the board. Complaints shall be received from sources outside Missouri and processed in the same manner as those originating within Missouri. No member of the State Board of Podiatric Medicine shall file a complaint with this board while holding that office, unless that member is excused from further board deliberations or activity concerning the matters alleged within that complaint. The executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed or delivered to the following address: State Board of Podiatric Medicine, 3605 Missouri Boulevard, P.O. Box 423, Jefferson City, MO 65102-0423. However, actual receipt of the complaint by the board at its administrative offices in any manner shall be sufficient. Complaints may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and should, but need not, fully identify the complainant by name and address. Complaints may be made on forms provided by the board and available upon request. Oral or telephone communications will not be considered or processed as complaints, but the person making the communications will be provided with a complaint form and requested to complete and return the form to the board in written form. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone or written communications received by the board, unless that staff member believes those communications to be false.

(4) Each complaint received under this rule shall be logged in a book maintained by the board for that purpose. Complaints shall be logged in consecutive order as received. The log book shall contain a record of each complainant's name and address, if given; the name and address of the subject(s) of the complaint; the date each complaint is

received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board or informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. The log book shall be a closed record of the board.

(5) Each complaint received under this rule shall be acknowledged in writing. The acknowledgment shall state that the complaint is being referred to the board for consideration at its next regularly scheduled meeting. The complainant shall be informed as to whether the complaint is being investigated and later as to whether the complaint has been dismissed by the board, or is being referred to legal counsel for filing with the Administrative Hearing Commission. The complainant shall be notified of the ultimate disposition of the complaint, excluding judicial appeals, and shall be provided with copies of the decisions (if any) of the Administrative Hearing Commission and the board at that time; provided, that the provisions of this section shall not apply to complaints filed by staff members of the board based on information and belief, acting in reliance on third-party information received by the board.

(6) Both the complaint and any information obtained as a result of the investigation shall be considered a closed record and shall not be available for inspection by the general public. However, upon written request to the board, a copy of the complaint and any attachments to the complaint may be provided to any licensee who is the subject of that complaint or his/her counsel.

(7) This rule shall not be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee or temporary license holder of the board with any actionable conduct or violation, whether or not that complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board, and whether or not any public complaint has been filed with the board.

(8) The board interprets this rule, which is required by law, to exist for the benefit of those members of the public who submit complaints to the board, and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule is not deemed to protect or inure to

the benefit of those licensees or temporary license holders or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations of the provisions of Chapter 330, RSMo.

AUTHORITY: section 330.140, RSMo Supp. 1997. Original rule filed Feb. 9, 1982, effective May 13, 1982. Amended: Filed Oct. 30, 1997, effective April 30, 1998.*

**Original authority: 330.140, RSMo 1945, amended 1981, 1993, 1995.*



STATE BOARD OF PODIATRY

Please return to: State Board of Podiatry
3523 N. Ten Mile Drive
Post Office Box 423
Jefferson City, Missouri 65102-0423

UNIFORM COMPLAINT FORM

Missouri Statutes 565.060 - False Official Statements. Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty may be guilty of a Class B misdemeanor.

(Type or Print)

Your name
Address
City State Zip
Telephone
Your occupation:

Contact (other than yourself):
Name
Address
City State Zip
Telephone

SUBJECT OF COMPLAINT

Name
Address
City State Zip
Occupation License No.
Have you contacted subject concerning complaint?
How long have you known person complained about?
Are there documents attached?
Have you contacted an attorney?
Name of Private Attorney (If applicable)
Address

WITNESSES (Give full names and addresses):

GIVE FULL DETAILS OF YOUR COMPLAINT. (Include facts, details, dates. Please attach copies of all bills, documents, records, correspondence, and contracts. (Use additional sheets if necessary).

[Blank lines for complaint details]

Signature Date

Table with 9 columns: Complaint Number, Date of Complaint, Type of Complaint, Date Acknowledge Complaint, Date Referred to Investigation, Date Referred to Adm. Hearing, Disposition, Date of Disposition, Date Complainant Advised of Disposition

RETURN WHITE AND YELLOW COPIES TO STATE BOARD OF PODIATRY

4 CSR 230-2.045 Public Records

PURPOSE: This rule establishes standards of compliance with Chapter 610, RSMo, as it relates to public records of the State Board of Podiatric Medicine.

(1) All public records of the State Board of Podiatric Medicine shall be open for inspection and copying by the general public at the board's office during normal business hours, holidays excepted, except for those records closed pursuant to section 610.021, RSMo. All public meetings of the State Board of Podiatric Medicine, not closed pursuant to the provisions of section 610.021, RSMo, will be open to the public.

(2) The State Board of Podiatric Medicine establishes the executive director of the board as the custodian of its records as required by section 610.023, RSMo. The executive director is responsible for maintaining the board's records and for responding to requests for access to public records and may appoint deputy custodians as necessary for the efficient operation of the board.

(3) When the custodian believes that requested access is not required under Chapter 610, RSMo, the custodian shall inform the requesting party that compliance cannot be made, specifying what sections of Chapter 610, RSMo, require that the record remain closed. Correspondence or documentation of the denial shall be copied to the board's general counsel. The custodian also shall inform the requesting party that s/he may appeal directly to the board for access to the records requested. The appeal and all pertinent information shall be placed on the agenda for the board's next regularly scheduled meeting. If the board reverses the decision of the custodian, the board shall direct the custodian to advise the requesting party and supply access to the information during regular business hours at the requesting party's convenience.

(4) The custodian shall maintain a file that will contain copies of all written requests for access to records and responses to these requests. The requests shall be maintained on file with the board for a period of one (1) year and will be maintained as a public record of the board open for inspection by any member of the general public during regular business hours.

(5) Whenever a request for inspection of public records is made and the individual inspecting the records requests copies of the records, the board may charge a reasonable fee for the cost of inspecting and copying the

records. The fee charged by the board shall be as follows:

(A) A fee for copying public records shall not exceed the actual cost of the document search and duplication; and

(B) The board may require payment for these fees prior to making the copies.

AUTHORITY: sections 330.140, 610.010-610.035, and 620.010.14, RSMo 2000. Original rule filed Nov. 1, 2001, effective April 30, 2002.

**Original authority: 330.140, RSMo 1945, amended 1981, 1993, 1995, 1998; 610.010-610.035, see Missouri Revised Statutes; and 620.010, RSMo 1973, amended 1981, 1983, 1986, 1989, 1990, 1993, 1994, 1995, 1999, 2001.*

4 CSR 230-2.050 Reciprocity

PURPOSE: This rule clarifies the requirements for Missouri licensure by reciprocity.

(1) An applicant for a Missouri license by reciprocity may be granted a license upon satisfying the board that s/he has fulfilled the following requirements:

(A) S/he must submit a copy of his/her original license, which was obtained by examination in the state from which s/he is applying for reciprocity. If the applicant was licensed in any state on or after December 4, 1989, the examination requirement of this rule shall be the PMLexis Examination;

(B) S/he must submit proof of his/her educational qualifications, which must be substantially equivalent to the requirements existing in Missouri at the time s/he originally was licensed;

(C) S/he must submit a letter from the secretary of the state board of the state from which s/he is applying attesting—

1. Whether or not s/he is in good standing with the board;

2. Whether there are any complaints pending against him/her; and

3. Whether or not s/he has had his/her license to practice in that state suspended or revoked. The letter shall be transmitted by the writer directly to the board's executive secretary;

(D) S/he must submit proof that s/he has been a licensed podiatrist for at least two (2) years next preceding his/her application for a Missouri license by reciprocity; and

(E) S/he must achieve a score of seventy-five percent (75%) or greater on the reciprocity examination administered by the board. The board's reciprocity examination will test the applicant's knowledge of the Missouri podiatry statutes and rules. The examination will be administered at the time

an applicant appears before the board as required in section (3) of this rule. Any applicant failing to achieve a score of seventy-five percent (75%) on this examination will be permitted to retake the examination as an open book test. All applicants must achieve at least ninety percent (90%) to be deemed to have passed an open book test over the Missouri podiatry statutes and rules.

(2) All credentials required by this rule for licensure by reciprocity must be in the possession of the board's executive secretary at least thirty (30) days before any regular meeting of the board.

(3) All applicants for licensure by reciprocity must appear in person before the board before their application will be approved.

(4) The board reserves the exclusive right to pass upon the standards of qualifications of the various states from which applicants may be accepted without examination and it reserves the right to reject an applicant on educational, moral, ethical, professional or other grounds.

AUTHORITY: sections 330.030 and 330.140.1, RSMo 1986. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Amended: Filed April 14, 1981, effective July 12, 1981. Rescinded and readopted: Filed Dec. 9, 1981, effective March 11, 1982. Amended: Filed March 4, 1991, effective Sept. 30, 1991. Amended: Filed Feb. 3, 1992, effective June 25, 1992.*

**Original authority: 330.030, RSMo 1939, amended 1943, 1945, 1947, 1953, 1965, 1981 and 330.140.1, RSMo 1945, amended 1981.*

4 CSR 230-2.060 Temporary Certificate
(Rescinded September 11, 1987)

AUTHORITY: section 330.180, RSMo 1986. Original rule filed Dec. 23, 1975, effective Jan. 2, 1976. Rescinded: Filed May 15, 1987, effective Sept. 11, 1987.

4 CSR 230-2.065 Temporary Licenses for Internship/Residency

PURPOSE: This rule interprets section 330.065, RSMo.

(1) All applicants for a temporary internship/residency license shall pay the internship/residency registration fee. Temporary internship/residency registrants who apply for a permanent license upon completion of their postgraduate training programs shall be

assessed an application processing fee at that time and will be assessed the license fee if approved by the board.

(2) No person temporarily licensed as a resident/intern may practice podiatry outside the physical confines of the sponsoring hospital; provided, however, that a resident/intern may practice at any facility approved for the residency by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

(3) For newly established internship/residency programs, a temporary license may be issued to applicants when the internship/residency program is accorded preliminary approval or candidate status by the Council on Podiatric Medical Education of the American Podiatric Medical Association. However, interns/residents who apply for a permanent license upon completion of such an internship/residency program will not be eligible for permanent licensure until their internship/residency program completes all the steps necessary for and receives approval or accreditation by the Council on Podiatric Medical Education of the American Podiatric Medical Association. The date on which the Council on Podiatric Medical Education of the American Podiatric Medical Association deems the internship/residency program approved or accredited shall be the starting date from which an intern/resident may receive credit toward the intern's/resident's required period of internship/residency.

(4) Violation of section (2) of this rule will be treated as cause for initiation of disciplinary proceedings against a temporary licensee under section 330.160.2(5) and (6), RSMo.

AUTHORITY: sections 330.065, RSMo 1994 and 330.010 and 330.140 RSMo Supp. 1998. Original rule filed Dec. 9, 1981, effective March 11, 1982. Amended: Filed Aug. 9, 1993, effective March 10, 1994. Amended: Filed Oct. 25, 1995, effective May 30, 1996. Amended: Filed Oct. 30, 1997, effective April 30, 1998. Amended: Filed June 1, 1999, effective Nov. 30, 1999. Amended: Filed Aug. 12, 1999, effective Feb. 29, 2000.*

**Original authority: 330.010, RSMo 1939, amended 1945, 1961, 1969, 1976, 1995, 1998; 330.065, RSMo 1981; and 330.140, RSMo 1945, amended 1981, 1993, 1995, 1998.*

4 CSR 230-2.070 Fees

PURPOSE: This rule establishes and fixes the various fees and charges authorized by Chapter 330, RSMo.

(1) The following fees are established by the State Board of Podiatric Medicine:

(A) Examination Fee	\$650.00
(B) License Fee	\$100.00
(C) Reciprocity License Fee	\$750.00
(D) Duplicate License Fee	\$ 10.00
(E) Biennial Renewal Fee	\$280.00
(F) Inactive Biennial Renewal Fee	\$200.00
(G) Late Fee (per month)	\$ 30.00
(H) Certification of Grades Fee	\$ 5.00
(I) Reciprocity Certification Fee	\$ 10.00
(J) Certification of Corporation Fee	\$ 2.00
(K) Print-Out of Licensees Fee	\$ 5.00
(L) Internship/Residency Registration Fee	\$150.00
(M) Reactivation Fee	\$500.00
(N) Uncollectible Fee (uncollectible check or other uncollectible financial instrument)	\$ 25.00
(O) Application Processing Fee	\$150.00
(P) Photocopy Fee (records) (per page)	\$.25
(Q) Research Fee (requiring more than two (2) hours of staff time) (per hour)	\$ 20.00
(R) Continuing Education Sponsor Fee	\$ 25.00.

(2) All fees are nonrefundable.

(3) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: sections 330.095 and 330.140, RSMo Supp. 1999. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 11, 1981. Original rule filed June 30, 1981, effective Nov. 12, 1981. Amended: Filed Nov. 10, 1981, effective Feb. 11, 1982. Amended: Filed Feb. 9, 1982, effective May 13, 1982. Amended: Filed Nov. 12, 1982, effective Feb. 11, 1983. Emergency amendment filed Dec. 1, 1983, effective Dec. 11, 1983, expired March 29, 1984. Amended: Filed Dec. 1, 1983, effective March 11, 1984. Amended: Filed April 3, 1984, effective Aug. 12, 1984. Amended: Filed Sept. 24, 1984, effective Jan. 13, 1985. Amended: Filed June 18, 1987, effective Sept. 11, 1987. Amended: Filed July 17, 1989, effective Oct. 12, 1989. Emergency amendment filed Oct. 13, 1989, effective Nov. 11, 1989, expired March 10, 1990. Amended: Filed Oct. 13, 1989, effective Jan. 12, 1990. Amended:*

Filed May 1, 1991, effective Sept. 30, 1991. Amended: Filed June 18, 1991, effective Oct. 31, 1991. Amended: Filed Feb. 3, 1992, effective June 25, 1992. Amended: Filed Nov. 2, 1992, effective May 6, 1993. Amended: Filed Sept. 23, 1993, effective May 9, 1994. Amended: Filed Aug. 30, 1995, effective Feb. 25, 1996. Amended: Filed Oct. 30, 1997, effective April 30, 1998. Amended: Filed April 29, 1999, effective Oct. 30, 1999. Amended: Filed Jan. 28, 2000, effective July 30, 2000.

**Original authority: 330.095, RSMo 1999; and 330.140, RSMo 1945, amended 1981, 1993, 1995, 1998.*

4 CSR 230-2.071 Transitional Renewal Fees

(Rescinded November 12, 1987)

AUTHORITY: section 330.140, RSMo 1986. Original rule filed Feb. 9, 1982, effective May 13, 1982. Rescinded: Filed Aug. 26, 1987, effective Nov. 12, 1987.