

**CHAPTER 63-02-01
APPLICATION**

Section

63-02-01-01 Application Requirements

63-02-01-02 Recognized School

63-02-01-03 Application Refunds [Repealed]

63-02-01-01. Application requirements.

Every person applying for an annual license to practice podiatric medicine shall submit the following materials ~~not~~ no later than thirty days preceding the date of the personal appearance or the oral-practical examination, if required by the board ~~or personal appearance~~:

1. A completed application form provided by the board.
2. A certified copy of a diploma from an approved or recognized school of podiatric medicine, or its equivalent as determined by the board, granted to the applicant by such school.
3. A certified transcript from a recognized or approved school of podiatric medicine which contains the date of graduation, degree granted, and the original seal of the school.
4. Three reference letters regarding the character of the applicant; no more than two from teachers or doctors of podiatric medicine, and none from relatives.
5. An unmounted photograph of approximately three by four inches [7.62 by 10.16 centimeters] of the applicant, taken within one hundred twenty days of the date of the application, and signed across the front by the applicant.
6. An application fee and annual licensing fee.
7. For applicants graduating from and after July 1, 1991, evidence of satisfactory completion of a program of clinical residency. A preceptorship program qualifies as a clinical residency only until January 1, 1995.
8. Evidence of satisfactory completion of all parts of the American Podiatric Medical Licensing Examination ~~national board of podiatric medical examiners licensing examination as provided herein~~.
9. The applicant shall provide all information necessary for the board to perform individual state background checks in each state in which the applicant has resided since the applicant's eighteenth birthday.
10. The name and address of the applicant's professional liability insurance.
11. A statement as to the disposition of any medical malpractice settlement or award relating to medical treatment by the applicant.
12. A primary source licensure verification of all state medical, podiatric or professional license held by the applicant.

History: Amended effective October 1, 1982; December 1, 1991; April 1, 2013.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-01(2), 43-05-10, 43-05-11, 43-05-12, 43-05-15

**CHAPTER 63-02-02
EXAMINATION**

Section

63-02-02-01 Examination Contents

63-02-02-02 Written Examination

63-02-02-03 Oral-Practical Examination

63-02-02-04 Personal Appearance

63-02-02-05 Application Nullification

63-02-02-02. ~~Written~~ Examinations.

The board utilizes the examination given by the national board of podiatric medical examiners ~~licensing examination as its written examination,~~ for its written and oral practical examinations and requires a passing score in all sections ~~in of part one and I, part two-II, and part III as recorded by the national board of podiatric medical examiners as a passing score.~~ An applicant is responsible for arranging one's own ~~examination~~ examinations with the national board of podiatric medical examiners, and with ~~providing a verified copy~~ providing primary source verification of the score scores to the board ~~which must contain an original seal of the national board.~~

History: Effective October 1, 1982; amended effective December 1, 1991.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-12

63-02-02-03. Oral-practical examination.

~~All oral practical examinations will be conducted by the board annually in the months of May through July unless otherwise arranged by the board~~ The board, at its discretion, may require an applicant to submit to an oral-practical examination conducted by the board prior to issuing a license or permit.

~~1. Every applicant who has demonstrated passage of the written portion of the examination will be eligible to take the oral-practical examination.~~

~~2 1.~~ The board will notify each applicant ~~found eligible~~ required to take the oral-practical examination of the time and place scheduled for that applicant's oral-practical examination not less than thirty days in advance.

~~3 2.~~ The subjects that may be covered on the practical portion of the examination are diagnosis, surgery, biomechanics, emergencies, patient care, ethics, and theory in practice.

~~4 3.~~ Failure of an applicant to appear for examination as scheduled will void the application, and will require the applicant to reapply for licensure, unless prior scheduling arrangements have been made with the board.

~~5 4.~~ An applicant failing the oral-practical examination may be reexamined ~~at the next regularly scheduled examination period~~ for an additional reapplication fee, if the applicant completes an application within one year.

History: Effective October 1, 1982; amended effective December 1, 1991.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-12

63-02-02-04. Personal appearance.

~~In addition to the oral-practical examination, all~~ All applicants for license ~~or permit~~ must be scheduled for and attend a personal appearance before one or more members of the board when the other requirements for licensure have been met. The board may require the applicant, at the personal appearance, to respond satisfactorily to questions regarding ethics of practice, the applicant's familiarity with North Dakota Century Code chapter 43-05 and this title, and questions derived from ~~the oral-practical~~ examination. The board may combine the oral-practical examination and the personal appearance.

History: Effective December 1, 1991.

General Authority: NDCC 43-05-08

Law Implemented: NDCC 43-05-12

CHAPTER 63-02-03
LICENSE

Section

63-02-03-01 License Issuance

63-02-03-02 License Display

63-02-03-03 Notification of Address

63-02-03-01. License issuance.

Every applicant who ~~passes the board examination and~~ satisfies the requirements for licensure or whose reciprocity has been accepted by the board shall be issued an official annual license to practice podiatric medicine in North Dakota.

History: Effective October 1, 1982; amended effective December 1, 1991.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-09

CHAPTER 63-02-04
TEMPORARY LICENSE AND TEMPORARY PERMIT

Section

63-02-04-01 Temporary License

63-02-04-02 Temporary Permit

63-02-04-01. Temporary license.

~~A podiatrist holding a valid license to practice podiatric medicine issued from another licensing jurisdiction of the United States may apply to the~~ Upon application for licensure, the board for ~~may~~ issue a temporary license to practice ~~podiatry~~ podiatric medicine in North Dakota. The applicant shall submit all materials required for an annual license and license by reciprocity and pay the required application fee and temporary licensing fee. The application and documentary evidence submitted by the applicant shall be reviewed by one or more members of the board, and upon their finding that the applicant is qualified, the board may issue a temporary license to practice podiatric medicine in North Dakota to the applicant until the applicant's personal appearance at the next regular examination date board meeting. If the applicant is unable to ~~take the examination~~ appear at the next regular board meeting for reason of illness or personal hardship, the applicant must reapply for a ~~temporary license~~ licensure and must again pay the application fee. ~~The applicant shall make a personal appearance before the board or a member thereof as arranged by the board.~~

History: Effective October 1, 1982; amended effective December 1, 1991.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-08

**CHAPTER 63-02-05
LICENSE BY RECIPROCITY**

Section

63-02-05-01 License by Reciprocity

63-02-05-01. License by reciprocity.

1. All ~~applications~~ applicants for license by reciprocal agreement ~~must be made on the official form supplied~~ submit a completed application form provided by the board ~~and must be filed with the secretary treasurer of the board.~~ The application ~~must be accompanied by the required application fee and annual licensing fee as well as other documents required for a standard application for licensure.~~ An applicant ~~must also submit a photocopy of the license upon which reciprocity is based and~~ and must comply with all application requirements set forth in this chapter. In addition to the required primary source licensure verification, the applicant must also cause to be submitted a statement from that a licensure board verifying that the applicant has a valid license, is in good standing with that board, and has engaged in the practice of podiatry podiatric medicine in that state for the two immediately preceding years. ~~If the applicant is licensed in one or more other states or Canadian provinces, the applicant must cause a form supplied by the board to be submitted from the licensure board of each other state or Canadian province in which the applicant is licensed during the five years immediately preceding application.~~ Reciprocity can be granted only with those states or Canadian provinces honoring reciprocity with North Dakota.

2. Such licenses by reciprocity may be granted without examination as is otherwise required in this title. The applicant must not have had the applicant's license to practice podiatric medicine suspended or revoked or engaged in conduct warranting or which would have warranted disciplinary action against a licensee if the conduct was committed in North Dakota, the licensing state or Canadian province, or elsewhere.

3. Such applicant for a license by reciprocity must not have been subjected to disciplinary action in any licensing state or Canadian province.

4. ~~The applicant must also submit, with the application, for the five year period immediately preceding the date of filing of the application, the name and address of the applicant's professional liability insurance carrier in each other state or Canadian province where licensed and the number, date, and disposition of any podiatric medical malpractice settlement or award made to a plaintiff relating to the quality of podiatric medical treatment by the applicant.~~

5. If such an applicant does not satisfy all the requirements set forth herein, the board shall not license such an applicant unless the board determines that the public will be protected through issuance of a license with such conditions or limitations, for such a period as determined by the board, that will guard the public health, safety, and welfare.

6. All applicants for license by reciprocity must be scheduled for and attend a personal appearance before one or more members of the board when the other requirements for licensure by reciprocity have been met. The board may require the applicant for license by reciprocity, at the personal appearance, to respond satisfactorily to questions regarding ethics of practice, the applicant's familiarity with North Dakota Century Code chapter 43-05 and this title, and questions derived from the oral-practical examination.

History: Effective October 1, 1982; amended effective December 1, 1991.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-05-14

ARTICLE 63-02 LICENSURE
CHAPTER 63-02-04
TEMPORARY AND PROVISIONAL LICENSE AND TEMPORARY PERMIT

Section

63-02-04-03 Provisional License.

63-02-04-03. Provisional License

1. An applicant that has submitted an application for full licensure and
 - a. Has indicated he/she is a spouse of an individual serving in the national guard or armed forces currently stationed in North Dakota;
 - b. Has provided copies of a military ID and current orders, or other supporting documents that meet the approval of the board;
 - c. Has demonstrated competency in the field of podiatric medicine; and
 - d. Has practiced podiatric medicine for at least two of the previous four yearsshall be issued a provisional license to practice podiatric medicine within thirty (30) days from receipt of the fully completed and executed application provided that the board determines the issuance of a provisional license will not substantially increase the risk of harm to the public.
2. A provisional license shall expire:
 - a. On the date the application for full licensure has been either granted or denied by the board; or
 - b. Two (2) years from the date of issuance.
3. A provisional license may be revoked if the board determines that:
 - a. The applicant has failed to comply with the terms of the provisional license; or
 - b. The revocation of the provisional licensure is necessary to protect the health and safety of the public.
4. Any license granted under section § 43-51-11.1 is subject to all rules and regulations under Chapter 43-05 and Article 63-02.
5. No licensure fee shall be required for a provisional license.

History: Effective _____.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 43-51-11.1

ARTICLE 63-06 - PRESCRIPTIVE PRACTICES
CHAPTER 63-06-01
PRESCRIPTION DRUG MONITORING PROGRAM RULE

Section

63-06-01-01 Prescription Drug Monitoring Program Rule

63-06-01-01. Prescription drug monitoring program rule.

1. Every podiatrist with a drug enforcement agency registration number shall register with the prescription drug monitoring program.
2.
 - a. When a podiatrist determines that reported drugs will be prescribed to a patient for a period to exceed twelve weeks, the podiatrist shall request a prescription drug monitoring program report for that patient and, at a minimum, at least semiannually thereafter.
 - b. This requirement does not apply to reported drugs prescribed to patients in a controlled setting in which the drugs are locked and administered to the patient, for example, admitted hospital or hospice patients, long-term care patients or group home residents.
3. In addition to those reports requested under subsection 2, podiatrists shall request a prescription drug monitoring program report when it is documented in the prescribing podiatrist's medical record for that patient that the patient exhibits signs associated with diversion or abuse, including:
 - a. Selling prescription drugs;
 - b. Forging or altering a prescription;
 - c. Stealing or borrowing reported drugs;
 - d. Taking more than the prescribed dosage of any reported drug;
 - e. Having a drug screen that indicates the presence of additional or illicit drugs;
 - f. Being arrested, convicted, or diverted by the criminal justice system for a drug-related offense;
 - g. Receiving reported drugs from providers not reported to the treating podiatrist;
 - h. Having a law enforcement or health professional express concern about the patient's use of drugs.
 - i. Violating any prescribing agreement with the podiatrist;
 - j. Frequently requests early refills of a reported drug for any reason;
 - k. Appears impaired or excessively sedated to the podiatrist in any patient encounter; and
 - l. Has a history of drug abuse dependency.
4. A podiatrist shall document the receipt and assessment of prescription drug monitoring program reports made under this rule.

History: Effective _____.

General Authority: NDCC 28-32-02, 43-05-08

Law Implemented: NDCC 19-03.5-09