

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

House
Bill No. 121
INTRODUCED BY *Simon Feland Cobb Peck*
Deb Hoff

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SCOPE OF PODIATRY TO INCLUDE THE HUMAN ANKLE; AND AMENDING SECTIONS 37-6-101 AND 37-6-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-6-101, MCA, is amended to read:

"37-6-101. Definitions. Unless the context requires otherwise, in this chapter, the following definitions apply:

- (1) "Board" means the board of medical examiners provided for in 2-15-1841.
- (2) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.
- (3) "Podiatrist" means a physician or surgeon of the foot and ankle, licensed to diagnose and treat ailments of the human functional foot and ankle.
- (4) "Podiatry" means the diagnosis and treatment of ailments of the human functional foot and ankle as provided in 37-6-102."

Section 2. Section 37-6-102, MCA, is amended to read:

"37-6-102. Scope of practice. (1) A podiatrist may diagnose and treat ailments of the human functional foot and ankle by all systems and means. The functional foot is the anatomical foot and any muscle, tendon, ligament, or other soft tissue structure that is directly attached to the anatomical foot and that impacts on or affects the foot or foot function. The ankle is the articulation between the talus, tibia, and fibula and their related soft tissue structures.

(2) A podiatrist may not administer any anesthetic other than a local anesthetic."

-END-

APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

INTRODUCED BY

House
Bill No. 121
Simon Feland Cobb Peck

Deb Kothi

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SCOPE OF PODIATRY TO INCLUDE THE HUMAN ANKLE; AND AMENDING SECTIONS 37-6-101 AND 37-6-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-6-101, MCA, is amended to read:

"37-6-101. Definitions. Unless the context requires otherwise, in this chapter, the following definitions apply:

(1) "Board" means the board of medical examiners provided for in 2-15-1841.

(2) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

(3) "Podiatrist" means a physician or surgeon of the foot and ankle, licensed to diagnose and treat ailments of the human functional foot and ankle.

(4) "Podiatry" means the diagnosis and treatment of ailments of the human functional foot and ankle as provided in 37-6-102."

Section 2. Section 37-6-102, MCA, is amended to read:

"37-6-102. Scope of practice. (1) A podiatrist may diagnose and treat ailments of the human functional foot and ankle by all systems and means. The functional foot is the anatomical foot and any muscle, tendon, ligament, or other soft tissue structure that is directly attached to the anatomical foot and that impacts on or affects the foot or foot function. The ankle is the articulation between the talus, tibia, and fibula and their related soft tissue structures.

(2) A podiatrist may not administer any anesthetic other than a local anesthetic."

-END-

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

House
Bill No. 121
INTRODUCED BY *James Edward Cobb Peck*
Clara Kitch

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SCOPE OF PODIATRY TO INCLUDE THE HUMAN ANKLE; AND AMENDING SECTIONS 37-6-101 AND 37-6-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-6-101, MCA, is amended to read:

"37-6-101. Definitions. Unless the context requires otherwise, in this chapter, the following definitions apply:

- (1) "Board" means the board of medical examiners provided for in 2-15-1841.
- (2) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.
- (3) "Podiatrist" means a physician or surgeon of the foot and ankle, licensed to diagnose and treat ailments of the human functional foot and ankle.
- (4) "Podiatry" means the diagnosis and treatment of ailments of the human functional foot and ankle as provided in 37-6-102."

Section 2. Section 37-6-102, MCA, is amended to read:

"37-6-102. Scope of practice. (1) A podiatrist may diagnose and treat ailments of the human functional foot and ankle by all systems and means. The functional foot is the anatomical foot and any muscle, tendon, ligament, or other soft tissue structure that is directly attached to the anatomical foot and that impacts on or affects the foot or foot function. The ankle is the articulation between the talus, tibia, and fibula and their related soft tissue structures.

(2) A podiatrist may not administer any anesthetic other than a local anesthetic."

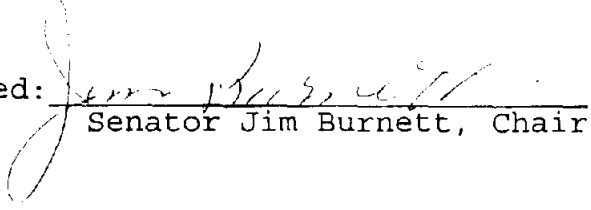
-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 24, 1995

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration HB 121 (third reading copy -- blue), respectfully report that HB 121 be amended as follows and as so amended be concurred in.

Signed: 
Senator Jim Burnett, Chair

That such amendments read:

1. Title, line 5.
Following: "ANKLE;"

Insert: "REQUIRING CERTIFICATION BY THE BOARD OF MEDICAL EXAMINERS FOR ANKLE SURGERY; LIMITING THE SITES AT WHICH ANKLE SURGERY MAY BE PERFORMED;"

2. Page 1, line 26.

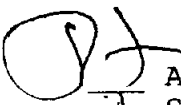
Insert: "

NEW SECTION. Section 3. Certification required for ankle surgery. Notwithstanding any other provisions in this title, a podiatrist may not perform surgical treatments of the ankle unless certified to do so by the board. The board shall certify a podiatrist whom it considers qualified by education, training, and experience or who is certified by the American board of podiatric surgery.

NEW SECTION. Section 4. Site of performance of ankle surgery. A surgical treatment of the ankle performed in accordance with [section 3] must be performed in a hospital or ambulatory surgical center licensed under Title 50.

NEW SECTION. Section 5. Codification instruction. [Sections 3 and 4] are intended to be codified as an integral part of Title 37, chapter 6, part 1, and the provisions of Title 37, chapter 6, part 1, apply to [sections 3 and 4]."

-END-


Amd. Coord.
Sec. of Senate

SEN. SPRAGUE
Senator Carrying Bill

HB 121
SENATE

1 HOUSE BILL NO. 121

2 INTRODUCED BY SIMON, FELAND, COBB, PECK, KOTTEL, ESTRADA

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE SCOPE OF PODIATRY TO INCLUDE THE HUMAN
5 ANKLE; REQUIRING CERTIFICATION BY THE BOARD OF MEDICAL EXAMINERS FOR ANKLE SURGERY;
6 LIMITING THE SITES AT WHICH ANKLE SURGERY MAY BE PERFORMED; AND AMENDING SECTIONS
7 37-6-101 AND 37-6-102, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 37-6-101, MCA, is amended to read:

12 "37-6-101. **Definitions.** Unless the context requires otherwise, in this chapter, the following
13 definitions apply:

14 (1) "Board" means the board of medical examiners provided for in 2-15-1841.

15 (2) "Department" means the department of commerce provided for in Title 2, chapter 15, part 18.

16 (3) "Podiatrist" means a physician or surgeon of the foot and ankle, licensed to diagnose and treat
17 ailments of the human functional foot and ankle.

18 (4) "Podiatry" means the diagnosis and treatment of ailments of the human functional foot and
19 ankle as provided in 37-6-102."

20
21 **Section 2.** Section 37-6-102, MCA, is amended to read:

22 "37-6-102. **Scope of practice.** (1) A podiatrist may diagnose and treat ailments of the human
23 functional foot and ankle by all systems and means. The functional foot is the anatomical foot and any
24 muscle, tendon, ligament, or other soft tissue structure that is directly attached to the anatomical foot and
25 that impacts on or affects the foot or foot function. The ankle is the articulation between the talus, tibia,
26 and fibula and their related soft tissue structures.

27 (2) A podiatrist may not administer any anesthetic other than a local anesthetic."
28

29 NEW SECTION. SECTION 3. CERTIFICATION REQUIRED FOR ANKLE SURGERY.
30 NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS TITLE, A PODIATRIST MAY NOT PERFORM

1 SURGICAL TREATMENTS OF THE ANKLE UNLESS CERTIFIED TO DO SO BY THE BOARD. THE BOARD
2 SHALL CERTIFY A PODIATRIST WHOM IT CONSIDERS QUALIFIED BY EDUCATION, TRAINING, AND
3 EXPERIENCE OR WHO IS CERTIFIED BY THE AMERICAN BOARD OF PODIATRIC SURGERY.

4

5 NEW SECTION. SECTION 4. SITE OF PERFORMANCE OF ANKLE SURGERY. A SURGICAL
6 TREATMENT OF THE ANKLE PERFORMED IN ACCORDANCE WITH [SECTION 3] MUST BE PERFORMED
7 IN A HOSPITAL OR AMBULATORY SURGICAL CENTER LICENSED UNDER TITLE 50.

8

9 NEW SECTION. SECTION 5. CODIFICATION INSTRUCTION. [SECTIONS 3 AND 4] ARE
10 INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 37, CHAPTER 6, PART 1, AND THE
11 PROVISIONS OF TITLE 37, CHAPTER 6, PART 1, APPLY TO [SECTIONS 3 AND 4].

12

-END-