**South Carolina General Assembly**

118th Session, 2009-2010

**S. 356**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Alexander

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Companion/Similar bill(s): 3455

Introduced in the Senate on January 29, 2009

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Podiatrist

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/29/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-29-09.docx)‑11

1/29/2009 Senate Referred to Committee on **Medical Affairs** [SJ](file:///h:\SJ%20Archive\2009\01-29-09.docx)‑11

**VERSIONS OF THIS BILL**

[1/29/2009](file:///p:\pprever\2009-10\356_20090129.docx)

**A** **BILL**

TO AMEND SECTION 40‑51‑20 OF THE 1976 CODE, RELATING TO DEFINITIONS USED IN CONNECTION WITH THE LICENSURE AND REGULATION OF PODIATRISTS, TO REVISE THE DEFINITION OF “PODIATRY”; AND TO AMEND CHAPTER 51, TITLE 40 OF THE 1976 CODE BY ADDING SECTION 40‑51‑210 TO REQUIRE ANKLE AND SOFT TISSUE SURGERIES TO BE PERFORMED IN CERTAIN ACCREDITED FACILITIES AND TO REQUIRE THE GOVERNING DOCUMENTS OF THESE FACILITIES TO ENSURE FULL CLINICAL AND SURGICAL PRIVILEGES TO HOLDERS OF A D.P.M. DEGREE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑51‑20 of the 1976 Code is amended to read:

“Section 40‑51‑20. For the purposes of this chapter:

(1) ‘Podiatry’ ~~shall mean~~ means the diagnosis~~, medical~~ and surgical, medical, and mechanical treatment ~~limited to~~ of all conditions of the human foot~~, except the administration of an anaesthetic other than local~~ and ankle, and their related soft tissue structures to the level of the anterior tibial tubercle. The practice of podiatry includes the amputations of toes and other parts of the foot but does not include the amputation of the foot or leg in its entirety. The practice of podiatry includes the administration of local anesthetics in conjunction with the practice of podiatry. Spinal or general anesthesia must be administered by an anesthesiologist or certified registered nurse anesthetist authorized by the State of South Carolina to administer anesthesia.

(2) ~~‘Diagnosis’ shall mean to ascertain a disease or ailment by symptoms and findings and does not confer the right to use X‑ray other than for diagnosis~~ ‘Podiatric physician’ means a physician and surgeon licensed in accordance with this chapter to engage in the practice of podiatric medicine and surgery.

~~(3)~~ ~~‘Medical treatment’ shall mean the application or prescribing of any therapeutic agent or remedy for the relief of foot ailments, except the medical treatment of any systemic disease causing manifestations in the foot.~~

~~(4)~~ ~~‘Surgical treatment’ shall mean the use of any cutting instrument to treat a disease, ailment, deformity or condition of the foot, but shall not confer the right to amputate the foot or toes.~~”

SECTION 2. Chapter 51, Title 40 of the 1976 Code is amended by adding:

“Section 40‑51‑210. Surgery of the ankle and soft tissue structures governing the ankle must be performed in an accredited hospital or ambulatory surgery center. With regard to the practice of podiatry in health facilities throughout this State, medical staff governing documents shall include and provide for the right to pursue and practice full clinical and surgical privileges for holders of a D.P.M. degree within the scope of their licensure. These rights and privileges shall be limited or restricted only upon the basis of an individual practitioner’s demonstrated competence. Competence shall be determined by health facility rules, regulations, and procedures which are necessary and are applied in good faith, equally and in a nondiscriminatory manner, to all practitioners regardless of their professional degree.

Nothing in this section shall be construed to require a health facility to offer a specific health service or services not otherwise offered. If a health service is offered, the facility shall not discriminate between persons holding M.D., D.O., or D.P.M. degrees who are authorized by law to perform these services.”

SECTION 3. This act takes effect upon approval by the Governor.

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