

**AB-826 Podiatric medicine: continuing education.**(2023-2024)

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 826**

**Introduced by Assembly Member Chen**

**February 13, 2023**

An act to amend Section 2496 of the Business and Professions Code, relating to healing arts.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 826, as introduced, Chen. **Podiatric** medicine: continuing education.

Existing law, the Medical Practice Act, establishes within the Department of Consumer Affairs the **Podiatric** Medical Board of California to license and regulate the practice of **podiatric** medicine. Existing law requires the board to adopt and administer regulations requiring continuing education of doctors of **podiatric** medicine and requires those licensees to demonstrate satisfaction of continuing education requirements and one of specified listed requirements at each license renewal.

This bill would delete the requirement that licensees demonstrate satisfaction of the continuing education requirements and one of specified listed requirements at each license renewal.

**DIGEST KEY**

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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**BILL TEXT**

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.**

Section 2496 of the Business and Professions Code is amended to read:

**2496.**

In order to ensure the continuing competence of persons licensed to practice **podiatric** medicine, the board shall adopt and administer regulations requiring continuing education of those licensees. ~~The board shall require those licensees to demonstrate satisfaction of the continuing education requirements and one of the following requirements at each license renewal:~~

- ~~(a) Passage of an examination administered by the board within the past 10 years.~~
- ~~(b) Passage of an examination administered by an approved specialty certifying board within the past 10 years.~~
- ~~(c) Current diplomate, board-eligible, or board-qualified status granted by an approved specialty certifying board within the past 10 years.~~
- ~~(d) Recertification of current status by an approved specialty certifying board within the past 10 years.~~
- ~~(e) Successful completion of an approved residency or fellowship program within the past 10 years.~~
- ~~(f) Granting or renewal of current staff privileges within the past five years by a health care facility that is licensed, certified, accredited, conducted, maintained, operated, or otherwise approved by an agency of the federal or state government or an organization approved by the Medical Board of California.~~
- ~~(g) Successful completion within the past five years of an extended course of study approved by the board.~~
- ~~(h) Passage within the past 10 years of Part III of the examination administered by the National Board of **Podiatric** Medical Examiners.~~



## **PMBC: MODERNIZATION OF THE DPM LICENSE RENEWALS**

### **The Board supports updating and modernizing its laws, and this will be achieved by deleting BPC 2496(a-h):**

The Board's Mission is to protect the public and regulate DPMs in California and it is also required to maintain laws that are current. By the deletion of BPC 2496 (a-h) the Board will meet its Mission and remain up-to-date. DPMs in California will no longer be required to meet arbitrary and burdensome renewal requirements that are not in line with MBC or other podiatric medical boards across the United States.

### **The Board supports uniformity in renewal requirements and will achieve this through the deletion of BPC 2496(a-h):**

DPMs are trained similarly to MDs, and DOs, with comparable curriculum being taught to each medical degree, (with the exception of obstetrics and gynecology). BPC 2496(a-h) became effective in 1999 when some DPMs were surgically trained, and others were not, dependent upon their year of graduation from podiatric medical school. The concerns from 25 years ago are no longer present and the Board no longer supports the additional renewal requirements. Today, DPM graduates of podiatric medical schools are surgically trained. (See History of the Board).\*

### **The Board voted to have BPC 2496(a-h) deleted:**

On March 12, 2021, the Board voted to delete the additional requirements for renewal as stated in BPC 2496(a-h) and to maintain the other renewal requirements which are completing 50 CMEs, remaining free from disciplinary actions, and paying renewal fees. The current additional renewal requirements may act as a barrier to applicants to the Board. It is an anomaly among other podiatric medical boards across the United States and MBC. The Board has concerns that its unique and burdensome renewal requirements are superfluous could discourage applicants to the Board. (See Board Meeting, 3.12.21 on Youtube or click link below). \*\*

#### **\* History of the Podiatric Board in California:**

- 1926: Doctor of Surgical Chiropody license provided by MBC
- 1957: Chiropody Examining Committee under jurisdiction of MBC
- 1983: Educational advancement in podiatric medical education ensured that graduates had surgical training.  
(If graduating **prior** to 1983 **not** assumed to be surgically trained (resulting in two different types of podiatric licensure for DPMs in California))
- 1998: Due to the disparity in training dependent upon the year of graduation from podiatric medical school, and to assist with professional acceptance and hospital privileging, "continuing competence" was adopted in BPC 2496 (a-h)
- 2018: PMBC was removed from within the jurisdiction of MBC. The requirement to prove surgical competency was eliminated because the active DPM licensee base was comprised of essentially graduates from podiatric medical school after 1983. (SB 798, 2017)
- 2021: Russell Stoner, Executive at the Federation of Podiatric Medical Boards testified before the Board (3.12.21) informing the Board that California remains unique among all the podiatric boards across the United States with significant additional renewal requirements that have been described as onerous and superfluous and possibly a restraint on trade.
- 2023: The Board is prepared to work with the legislature and related entities to eliminate potential challenges to the licensure renewal requirements that reasonably could be viewed as arbitrary, capricious, and unfairly overly burdensome without a basis in science or fact.

#### **\*\* Federation of Podiatric Medical Boards presented by Russell Stoner, Executive Director.**

Search Youtube or follow link: [PMBC 3.12.21 Bd Mtg Discussion BPC 2496 - at appx 17:00.](#)



March 16, 2023

Marc Berman, Chair  
Assembly Business and Professions Committee, Chair  
Legislative Office Building, Ste 379  
Sacramento, CA 95814

**RE: AB 826 (Chen) • PMBC • MODERNIZATION OF THE DPM LICENSE RENEWALS - Sponsor**

Dear Honorable Marc Berman,

The Podiatric Medical Board of California (PMBC) respectfully requests your support of AB 826 (Chen), which would remove outdated licensing requirements imposed on doctors of podiatric medicine (DPM's)

The Podiatric Medical Board of California (PMBC) is the third medical board in California along with the Medical Board of California and the Osteopathic Board of California. The profession has advanced throughout the last few decades now receiving the almost identical education as MDs and DOs (no ob/gyn for DPMs). When BPC 2496(a-h) became effective in 1999, some DPMs were surgically trained, and others were not, dependent upon their year of graduation from podiatric medical school. At the time, the Board adopted additional renewal requirements beyond those that still exist today: DPMs are required to complete 50 CMEs, remain free from disciplinary action, and pay renewal fees. PMBC is seeking to delete the current additional renewal requirements that were self-imposed when there was dual licensure for California DPMs.

The concerns from 25 years ago are no longer present and the Podiatric Medical Board of California no longer supports the additional renewal requirements. Based on the issue being presented to the Board on 3.12.21, the Board voted to delete these additional requirements. The Board's discussion included the fact that these additional renewal requirements could be viewed as a restraint on trade and the Board would like to modernize its renewal requirements to remain consistent with other podiatric medical boards and the other healthcare boards in California.

PMBC is obligated to remain current with the podiatric profession and its advancements. The PMBC Board voted to have the additional renewal requirements deleted over two years ago, but it was not possible to address this during the Covid-19 period so we are attempting to achieve the Board's mandate this year.

Therefore, PMBC is pleased to sponsor AB 826 and ask for your eye vote.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Naslund".

Brian Naslund,  
Executive Officer

CC: The Honorable Phil Chen  
Members of the Assembly Business and Professions Committee