



# Texas State Board of Podiatric Medical Examiners

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S.B. 402 Nelson (Hamric)

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## Summary

The State has regulated podiatry since 1923 through different agency structures. Since 1995, the Texas State Board of Podiatric Medical Examiners (the Board) has been responsible for ensuring that safe and quality podiatric services are provided to the citizens of Texas. The Board does this through three primary functions: license qualified individuals to practice podiatry in Texas; set standards relating to the practice of podiatry; and enforce the Podiatric Medical Act, including investigating and resolving complaints. The Board currently licenses about 850 podiatrists, with a staff of four employees and an annual budget of \$204,792.

Senate Bill 402 continues the Board for 12 years, and contains the Sunset Commission's recommendations to conform key elements of the Podiatric Medical Act to commonly applied licensing practices. The list below summarizes the major provisions of S.B. 402, and a more detailed discussion follows.

## Sunset Provisions

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1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Agency Practices.
2. Continue the Texas State Board of Podiatric Medical Examiners for 12 Years.

## Sunset Provisions

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### **1. Conform Key Elements of the Board's Licensing and Regulatory Functions to Commonly Applied Licensing Practices.**

Senate Bill 402 includes 11 provisions that bring the Board in line with standard licensing agency practices, consisting of the following.

- Clarifies that the Board must address felony and misdemeanor convictions in the standard manner defined in the Occupations Code.
- Simplifies the process for a podiatrist who holds an active license in another state to be licensed in Texas.
- Bases delinquent license renewal fees on the Board's normally required renewal fee.
- Authorizes the Board to conduct inspections of podiatrists' premises in the course of an investigation, or to determine compliance with a Board order.
- Requires the Board to include one of its public members in the informal settlement process.
- Increases the amount of the Board's administrative penalty authority, and requires the Board to adopt an administrative penalty matrix in rule.
- Authorizes the Board to temporarily suspend a license under certain circumstances.
- Authorizes the Board to provide for refunds by licensees to the consumer as part of the settlement conference process.
- Authorizes the Board to issue cease-and-desist orders to stop unlicensed activity.
- Authorizes Board members to receive reimbursement for travel expenses.
- Prohibits Board members from serving as voting members on task forces or advisory committees.

### **2. Continue the Texas State Board of Podiatric Medical Examiners for 12 years.**

This provision continues the Board as a separate, stand-alone agency for the standard 12-year period.

## Fiscal Implication Summary

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Senate Bill 402 contains one provision that will have a positive fiscal impact to the State. Basing the late license renewal fees on the cost of renewal, rather than the cost of the licensing exam, will result in an estimated annual revenue gain of \$3,315 because the renewal fee is higher than the examination fee. The revenue gain is shown in the following five-year summary chart.

<i>Fiscal Year</i>	<i>Gain to the General Revenue Fund</i>
2006	\$3,315
2007	\$3,315
2008	\$3,315
2009	\$3,315
2010	\$3,315

