# Rules and Regulations of the State of Georgia

# Department 500 STATE BOARD OF PODIATRY EXAMINERS

*Current through Rules and Regulations filed through November 2, 2022*

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**ADMINISTRATIVE HISTORY**

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

**Note: Emergency Rules** are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 500-1 entitled "Organization", 500-2 entitled "Examination Requirements", and 500-3 entitled "Information on Podiatry" have been adopted. Filed and effective June 30, 1965.

Rule 500-2-.01 has been amended. Chapter 500-4 entitled "Fees" has been adopted. Filed June 19, 1979; effective July 9, 1979.

Rule 500-4-.01 has been repealed and a new Rule adopted. Filed May 1, 1985; effective May 21, 1985.

Rule 500-4-.01 has been amended. Filed June 12, 1985; effective July 2, 1985.

Rules 500-4-.02 and .03 have been adopted. Filed August 11, 1986; effective August 31, 1986.

Chapter 500-5 entitled "Continuing Podiatry Medical Education" has been adopted. Filed September 7, 1989; effective September 27, 1989.

Rules 500-2-.01 and 500-4-.01 have been repealed and new Rules adopted. Filed June 24, 1991; effective July 14, 1991.

Rule 500-2-.04 has been amended. Filed January 3, 1994; effective January 23, 1994.

Chapter 500-6 entitled "Professional Conduct" has been adopted. Filed May 10, 1994; effective May 30, 1994.

Chapters 500-1 to 500-6 have been repealed and new Chapters adopted. Chapters 500-7 entitled "Amputations", 500-8 entitled "Unprofessional Conduct", and 500-9 entitled "Fees" have been adopted. Filed May 15, 1995; effective June 4, 1995.

Rule 500-2-.01 has been amended. Filed February 27, 1998; effective March 19, 1998.

Rule 500-2-.01 has been amended. Filed April 26, 2005; effective May 16, 2005.

Rules 500-5-.01 and 500-5-.02 repealed and readopted. F. May 7, 2012; eff. May 27, 2012.

Rule 500-2-.02 adopted. Rules 500-3-.01, 505-4-.01, 500-5-.01, .02 amended. F. Sep. 4, 2015; eff. Sep. 24, 2015.

Rule 500-8-.01 amended. F. Apr. 15, 2016; eff. May 5, 2016.

Rule 500-5-.01 amended. F. Mar. 1, 2017; eff. Mar 21, 2017.

Rule 500-3-.01 amended. F. Aug. 24, 2017; eff. Sep. 13, 2017.

Emergency Rules 500-5-0.1-.01, 560-8-6-0.36-.05 adopted. F. Aug. 18, 2020, eff. Aug. 7, 2020, to remain in effect for a period of 120 days or until the adoption of permanent rule covering the same subject matter superseding this Emergency Rule, as specified by the Agency.

Rules 500-2-.02, 500-4-.02 amended. F. Feb. 17, 2021; eff. Mar. 9, 2021.

# Chapter 500-1. ORGANIZATION.

## Rule 500-1-.01. Organization.

The State Board of Podiatry Examiners consists of four members appointed by the Governor for three year terms. Three members shall be podiatrists. The rules of the Board are administered by the Division Director of the Professional Licensing Board Division of the Secretary of State.

**Cite as Ga. Comp. R. & Regs. R. 500-1-.01**
**Authority: Ga. L. 1933, pp. 115, 116; Ga. Code 84-1, as amended. O.C.G.A. Sec 43-35-9.**
**History.** Original Rule entitled "Organization" was filed and effective on June 30, 1965.
**Repealed:** New Rule of same title adopted. F. May 15, 1995; eff. June 4, 1995.

## Rule 500-1-.02. Public Information.

Any person desiring information regarding the Board of Podiatry Examiners or the Podiatry Examination should contact the Joint Secretary of the Examining Boards Division, 166 Pryor Street, SW, Atlanta, Georgia 30303.

**Cite as Ga. Comp. R. & Regs. R. 500-1-.02**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Public Information" adopted. F. May 15, 1995; eff. June 4, 1995.

# Chapter 500-2. EXAMINATION AND LICENSURE REQUIREMENTS.

## Rule 500-2-.01. Requirements for Examination and Licensure.

Any person desiring to take the examination and be licensed to practice podiatry in this State shall meet the following qualifications and requirements.

(a) Qualifications for Examination.

1. Has attained the age of 21 years;
2. Be a graduate of an accredited college of podiatric medicine approved by the Board;
3. Holds a doctoral degree or its equivalent;
4. File a completed application for examination with required attachments with the Board 45 days prior to the examination date. The following items shall be submitted with the application:

(i) Certificate of Podiatric education;

(ii) Photo;

(iii) Proof of completion of a minimum one year's residency in podiatric medicine and surgery in a program based at a hospital approved by the American Podiatric Medical Association and the Board or a letter dated within 90 days of the expected date of completion of residency from the Director of Training, Registrar; or Head of the Department on official letterhead documenting the date on which the applicant is expected to complete the one year's residency. License will not be issued until Certificate of Residency is received and exams passed.

(iv) All applicants for licensure, after January 1, 1999, shall submit proof of having successfully passed the PMLexis administered by the National Board of Podiatric Medical Examiners with a passing score determined by the Board;

(v) Proof of having passed the PMLexis shall be a certified copy of the applicant's transcript of scores from the National Board of Podiatric Medical Examiners; and

(vi) Required Fees.

(b) Licensure Requirements. Any Person desiring to be licensed to practice podiatry in this State must have satisfactorily passed an examination approved by the Board.

(c) The Americans with Disabilities Act. The Board will provide reasonable accommodation to a qualified applicant with a disability in accordance with the Americans With Disabilities Act. The request for an accommodation by an individual with a disability must be made in writing and received in the Board office by the application deadline along with the appropriate documentation, as indicated in the Request for Disability Accommodation Guidelines.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.01**
**Authority: O.C.G.A. Secs. 43-35-4, 43-35-5, 43-35-9, 43-35-11, 43-35-12, 43-35-14.**
**History.** Original Rule entitled "Application for Examination; Fee" adopted. F. and eff. June 30, 1965.
**Amended:** F. June 19, 1979; eff. July 9, 1979.
**Repealed:** New Rule of same title adopted. F. June 24, 1991; eff. July 14, 1991.
**Repealed:** New Rule entitled "Requirements for Examination and Licensure" adopted. F. May 15, 1995; eff. June 4, 1995.
**Amended:** F. Feb. 17, 1998; eff. Mar. 19, 1998.
**Amended:** F. Apr. 26, 2005; eff. May 16, 2005.

## Rule 500-2-.02. Reinstatement of Licensure. Amended.

(1) Reinstatement of a revoked or lapsed license is within the discretion of the Board.

(2) An applicant for reinstatement for a revoked or lapsed license must submit a completed application provided by the Board, payment of the required fee, and the following:

(a) A signed letter of explanation from the applicant and supporting documents that explain the reasons the license was lapsed and/or revoked;

(b) A certification of licensure from any other state or states in which the applicant is licensed showing the current status of the license and any action taken against the license;

(c) A resume showing the applicant's professional experience since the Georgia license expired;

(d) Payment of all required renewal and delinquency fees; and,

(e) Proof of completion of fifty (50) hours of continuing education approved by the Council on Podiatric Medical Education (CPME) and/or the Georgia Podiatric Medical Educational Foundation (GPMEF) as required in Board Rule 500-5-.01(3) (a-c).

(3) The Board, in its discretion, may impose any remedial or additional requirements for applicants who have previously engaged in the practice of podiatric medicine and who have not practiced for a period greater than thirty (30) consecutive months as approved by the Board.

(4) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of podiatric medicine or for being mentally or physically unable to practice with reasonable skill and safety, or for any ground stated in O.C.G.A. § 43-35-16 and any other applicable state or federal law.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.02**
**Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-19.2, 43-1-25, 43-35-9, 43-35-15, 43-35-16.**
**History.** Original Rule entitled "Photograph to Accompany Application" adopted. F. and eff. June 30, 1965.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.
**Adopted:** New Rule entitled "Reinstatement of Licensure." F. Sep. 4, 2015; eff. Sept. 24, 2015.
**Amended:** New title "Reinstatement of Licensure. Amended." F. Feb. 17, 2021; eff. Mar. 9, 2021.

## Rule 500-2-.03. Repealed.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.03**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Diploma" adopted. F. and eff. June 30, 1965.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.

## Rule 500-2-.04. Repealed.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.04**
**Authority: O.C.G.A. Secs. 43-35-4, 43-35-9.**
**History.** Original Rule entitled "Letter of Admission to Examination" adopted. F. and eff. June 30, 1965.
**Amended:** F. Jan. 3, 1994; eff. Jan. 23, 1994.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.

## Rule 500-2-.05. Repealed.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.05**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Nature of Examination; Failure" adopted. F. and eff. June 30, 1965.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.

## Rule 500-2-.06. Repealed.

**Cite as Ga. Comp. R. & Regs. R. 500-2-.06**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Personal Questionnaire" adopted. F. and eff. June 30, 1965.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.

# Chapter 500-3. LIMITED TEMPORARY LICENSE.

## Rule 500-3-.01. Limited Temporary License to Practice. Amended.

(1) A limited temporary- license may be issued to a podiatrist from another state or country upon approval by the Georgia State Board of Podiatry Examiners ("Board").

(2) A limited temporary license will only be issued to a podiatrist for the purpose of advancing medical education and enhancing the individual's training in this state provided that the following conditions are met:

(a) The podiatrist holds a license which is in good standing in any state or country where he or she holds a license; or

(b) The podiatrist is a military spouse who holds a license from another state for which the training, experience and testing substantially meet or exceed the requirements under this state to obtain a license and the license is in good standing; or

(c) The podiatrist is a transitioning services member who holds a license from another state for which the training, experience and testing substantially meet or exceed the requirements under this state to obtain a license and the license is in good

standing; or the podiatrist is a transitioning services member who has obtained a specialty, certification, training, or experience in the military while a service member that substantially meets or exceeds the requirements to obtain a license in this state.

(3) The podiatrist who is issued the limited temporary license practices under the direct supervision of a podiatric physician currently licensed to practice in Georgia in a facility acceptable to the Board.

(4) For the purposes of this Rule,"direct supervision" means that the supervising podiatrist is on the premises and is quickly and easily available to perform any acts, duties, or functions of a licensed podiatrist in this state.

(5) The podiatric physician providing the direct supervision must provide the Board with the following:

(a) A license in good standing in the state of Georgia; and

(b) Proof of malpractice insurance.

(6) The applicant for a limited temporary license must provide the Board with the following:

(a) A verification of licensure in good standing in any state or country where the applicant is licensed;

(b) Proof of graduation or diploma from a podiatric medical school or its equivalent acceptable to the Board; and

(c) Proof of the applicant's malpractice insurance.

(7) Limited temporary license holders practicing under the direct supervision of a licensed podiatrist in this state may perform any acts, duties, or functions which are otherwise permitted by law as a podiatrist in this state.

(8) The limited temporary license must be surrendered to the Board upon completion of the education program or expiration or upon issuance of a license by the Board, whichever occurs first.

(9) The limited temporary license will be valid for a period not to exceed one year. Within one month of the expiration date, temporary limited license holders submit an application to renew the license. Renewal is at the discretion of the Board.

(10) Limited temporary license holders may apply for a permanent license to practice podiatric medicine in Georgia provided that the applicant meets all licensure requirements as codified with the Practice Act and Board Rules.

**Cite as Ga. Comp. R. & Regs. R. 500-3-.01**
**Authority: O.C.G.A. §§ 43-1-25, 43-1-34, 43-35-9, 43-35-11.**
**History.** Original Rule entitled "Public Information" was filed and effective on June 30, 1965.
**Repealed:** New Rule entitled "Limited Temporary License" adopted. F. May 15, 1995; eff. June 4, 1995.
**Amended:** New title "Limited Temporary License to Practice. Amended." F. Sep. 4, 2015; eff. Sept. 24, 2015.
**Amended:** F. Aug. 24, 2017; eff. Sept. 13, 2017.

# Chapter 500-4. RENEWAL OF LICENSES.

## Rule 500-4-.01. Renewal of License.

(1) Renewal: All podiatrists licensed in the State of Georgia shall submit to the Board of Podiatry Examiners ("Board") a license renewal application prior to the date of license expiration every two (2) years.

(a) Each renewal application shall include a nonrefundable license renewal fee payable before the first day of September of the odd number year;

(b) Each renewal payment must be accompanied by a statement about having completed a minimum of fifty (50) approved continuing education hours as defined within the Board's continuing education rules; and

(c) Each renewal application may be subject to an audit of continuing education hours.

(2) Late Renewal:

(a) If the applicant files for renewal of license after the date the license is expired and during the late renewal period, which begins on the first day of September and ends on the last day of November of the odd year, the late renewal application must be accompanied by:

1. A late renewal application fee of $300.00;

2. A signed letter of explanation to include any supporting documentation which supports the reason the application was not submitted timely; and

3. Proof of completion of the continuing education requirements as outlined within the Board's rules.

(b) The renewal of a license during the late renewal period may be subject to a consent order for licensure renewal that contains terms and conditions for renewal as determined by the Board.

(3) Reinstatement: The license of any podiatrist who fails to meet all of the requirements for license renewal before the end of the late renewal period shall be lapsed, the effect of

which shall be the same as revocation of licensure. The lapsed license may be reinstated at the discretion of the Board after the applicant completes all reinstatement requirements as provided in the statute and the Board's rules.

**Cite as Ga. Comp. R. & Regs. R. 500-4-.01**
**Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-25, 43-35-9, 43-35-15, and 43-35-16.**
**History.** Original Rule entitled "Fees" was filed on June 19, 1979; effective July 9, 1979.
**Amended:** Rule repealed and a new Rule of same title adopted. Filed May 1, 1985; effective May 21, 1985.
**Amended:** Filed June 12, 1985; effective July 2, 1985.
**Repealed:** New Rule of same title adopted. F. Jun. 24, 1991; eff. July 14, 1991.
**Repealed:** New Rule entitled "Renewal of License" adopted. F. May 15, 1995; eff. June 4, 1995.
**Amended:** F. Sep. 4, 2015; eff. Sept. 24, 2015.

## Rule 500-4-.02. Inactive License. Amended.

(1) The Board has determined inactive status will be available for those persons meeting the prescribed criteria which shall remain in full force for life, unless reactivated under Board Rules, and which shall incur no fees. To be eligible to be placed in inactive status, a licensee must:

(a) Submit their request on the designated form;

(b) Have a current active license in good standing to practice podiatry in the state of Georgia.

(c) Must not be under administrative disciplinary action or court action or probation;

(2) Once placed in inactive status, the license holder thereafter shall not engage in the practice of podiatry in any manner in the State of Georgia.

(3) The only avenue of reactivation shall be at the discretion of the Board under conditions acceptable to the Board. Licensees seeking reactivation submit an application and fee in accordance with the fee schedule and fifty (50) hours of continuing education in accordance with Board Rules.

**Cite as Ga. Comp. R. & Regs. R. 500-4-.02**
**Authority: O.C.G.A. §§ 43-1-22, 43-35-9.**
**History.** Original Rule "Inactive License" was filed on August 11, 1986; effective August 31, 1986.
**Repealed:** New Rule of same title adopted. F. May 15, 1995; eff. June 4, 1995.
**Amended:** New title "Inactive License. Amended." F. Feb. 17, 2021; eff. Mar. 9, 2021.

## Rule 500-4-.03. Repealed.

**Cite as Ga. Comp. R. & Regs. R. 500-4-.03**
**Authority: O.C.G.A. Sec. 43-1-22.**
**History.** Original Rule entitled "Reactivation of Inactive License" was filed on August 11, 1986; effective August

31, 1986.
**Repealed:** F. May 15, 1995; eff. June 4, 1995.

# Chapter 500-5. CONTINUING PODIATRIC MEDICAL EDUCATION.

## Rule 500-5-.01. Continuing Education Hours. Amended.

(1) The purpose of continuing education hours for podiatrists is to maintain and enhance the professional competence of podiatrists licensed to practice in Georgia for the protection of the health and welfare of the people of the State of Georgia.

(2) As a requirement for the biennial renewal of his/her license, a podiatrist must certify to the Georgia State Board of Podiatry Examiners the completion of not less than fifty (50) hours of approved continuing education in the preceding two (2) years prior to the license expiration date.

(a) No more than ten (10) hours shall be obtained from online courses/correspondence courses/webinar, and such courses must be approved by the Council of Podiatric Medical Education (CPME).

(b) No more than ten (10) hours shall be obtained live (in person) from any healthcare related source.

(c) At least thirty (30) continuing medical education hours must be approved by the Council of Podiatric Medical Education (CPME) and/or the Georgia Podiatric Medical Association (GPMA) and must be obtained live (in person).

(3) A podiatrist who has obtained a Georgia licensed by reciprocity or by examination, and who must renew his or her Georgia license for the first time, shall obtain the following number of continuing education hours prior to renewal of the license:

(a) If the license was issued during the first six (6) months of the biennial renewal period, from September of the odd numbered year to the end of the following February, the full fifty (50) hours of continuing education shall be required for renewal;

(b) If the license was issued during the following twelve (12) months of the biennial renewal period, from March of the even numbered year to February of the odd numbered year of the licensure period, thirty (30) hours of continuing education shall be required for the license renewal;

(c) If the license was issued during the last six (6) months of the biennial renewal period, from March of the odd numbered year to August of the odd numbered year, the licensee shall be exempt from the continuing education requirements for

that biennial licensing cycle and no continuing education hours shall be required to renew the license.

(4) This rule shall become effective with the 2013 -2015 renewal cycle.

**Cite as Ga. Comp. R. & Regs. R. 500-5-.01**
**Authority: O.C.G.A. §§ 43-1-4, 43-1-25, 43-35-9, 43-35-15.**
**History.** Original Rule entitled "General Requirements" adopted. F. Sept. 7, 1989; eff. Sept. 27, 1989.
**Repealed:** New Rule of same title adopted. F. May 15, 1995; eff. June 4, 1995.
**Repealed:** New Rule entitled "Continuing Education Hours" adopted. F. May 7, 2012; eff. May 27, 2012.
**Amended:** F. Sep. 4, 2015; eff. Sept. 24, 2015
**Amended:** F. Mar. 1, 2017; eff. Mar. 21, 2017

## Rule 500-5-.02. Continuing Education Reporting and Auditing.

(1) At the time a license to practice podiatric medicine is renewed, the applicant must acknowledge and state that the applicant has earned the required continuing education credit hours for license renewal.

(2) The renewal applicant must keep on file a record of the accumulated continuing credit hours, titles, where the courses were obtained, and the certificate of completion with the number of approved CME credits/hours for no less than three (3) renewal periods or six (6) years from the date of attendance.

(3) The Georgia State Board of Podiatry Examiners ("Board") shall conduct random audits of CME hours.

(a) Audits conducted before license expiration date. Licensees whose renewal applications are selected for CME hours audit before the license expiration date must submit to the Board records of attendance and supporting documents for CME hours obtained before a licensee's renewal application is completed.

(1) Before a licensee license is renewed, if an audit of the license renewal application shows that the number of CME hours or documentation for CME hours required for renewal is deficient, documentation satisfactory to the Board shall be submitted prior to granting renewal of the license.

(2) The Board may take disciplinary action against a licensee based upon the outcome of an audit and may require, as a condition of granting renewal, that the licensee agree to terms and conditions that include, but are not limited to, the following:

(i) pay a fine of $50.00 per unsubstantiated or deficient credit hour;

(ii) submit proof satisfactory to the Board of completion of all deficient CE hours, none of which deficient hours may be used to satisfy the CE requirement of any subsequent renewal cycle;

(iii) comply with and satisfy all terms and conditions required for license renewal imposed by the Board prior to the end of the late renewal period;

(iv) failure to comply with all the Board's terms and conditions by the end of the late renewal period may result in revocation of the license; and

(v) additional sanctions and penalties based upon the facts and circumstances as determined by the Board.

(b) Audits conducted after license expiration date. After a license is renewed, an audit may be conducted of CE hours submitted in connection with the license renewal application. Licensees whose renewal applications are selected for CME hours audit after license renewal must submit upon request records of attendance and supporting documents for the CME hours obtained for license renewal.

(1) The Board may take disciplinary action against a license if the licensee fails to certify or submit adequate proof of completed CE hours, or if the CE documentation submitted is incorrect, false, or fraudulent.

(2) The Board's disciplinary action against a licensee based upon the outcome of an audit may include the suspension of the renewed license and the imposition of terms and conditions that include, but are not limited to, the following:

(i) a fine of $50.0) per unsubstantiated credit hour;

(ii) proof satisfactory to the Board documenting the completion of all deficient CE hours, none of which deficient hours may be used to satisfy the CE requirement of any subsequent renewal cycle;

(iii) all terms and conditions shall be satisfied prior to the end of the late renewal period and/or prior to the lifting of license suspension and restoration of the license to active status; and

(iv) failure to comply with the Board's terms and conditions by the end of the late renewal period may result in revocation of the license.

(4) The submission of a false statement on a license renewal application that the CME hours requirement has been met, after substantiation thereof, may result in the revocation of a license by the Board.

**Cite as Ga. Comp. R. & Regs. R. 500-5-.02**
**Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-25, 43-35-9, 43-35-15, and 43-35-16.**
**History.** Original Rule entitled "Reporting and Auditing" adopted. F. Sept. 7, 1989; eff. Sept. 27, 1989.
**Repealed:** New Rule of same title adopted F. May 15, 1995; eff. June 4, 1995.
**Repealed:** New Rule entitled "Continuing Education Reporting and Auditing" adopted F. May 7, 2012; eff. May 27, 2012.
**Amended:** F. Sep. 4, 2015; eff. Sept. 24, 2015.

## Rule 500-5-.03. Approval of Providers and Sponsors.

Approval of Providers and Sponsors shall be as follows:

(a) In lieu of individual state regulations, the Georgia State Board of Podiatry Examiners will recognize providers and sponsors approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association. The qualifying hours of continuing education shall be determined and approved by the Council on Podiatric Medical Education.

(b) Continuing medical education credit will be recognized for scientific sessions offered by the Georgia Podiatric Medical Association. Course content, attendance and number of credit hours shall be determined by the Board of Trustees of the Georgia Podiatric Medical Association utilizing the Council of Podiatric Medical Education guidelines. This category is not to exceed fifty (50%) percent of the continuing education requirement per biennium.

(c) The Georgia State Board of Podiatry Examiners may approve continuing medical education programs in its discretion that are not otherwise approved.

(d) It will be the responsibility of the individual podiatrist to ascertain in advance that the courses which he/she attends have received proper approval of the Council on Podiatric Medical Education.

**Cite as Ga. Comp. R. & Regs. R. 500-5-.03**
**Authority: O.C.G.A. Secs. 43-35-4, 43-35-5(b), 43-35-9.**
**History.** Original Rule entitled "Approval of Providers and Sponsors" adopted. F. Sept. 7, 1989; eff. Sept. 27, 1989.
**Repealed:** New Rule of same title adopted. F. may 15, 1995; eff. June 4, 1995.

# Chapter 500-6. PROFESSIONAL CONDUCT.

## Rule 500-6-.01. Patient Self-Referral.

No Podiatrist, or employee or agent thereof on his behalf, shall offer, agree to accept, or receive compensation in any form for the referral of professional services to or from another health care provider or entity. This prohibition includes any form of fee division or charging of fees for the referral of a patient.

**Cite as Ga. Comp. R. & Regs. R. 500-6-.01**
**Authority: O.C.G.A. Sec. 43-35-4, 43-35-9.**
**History.** Original Rule entitled "Patient self-Referral" adopted F. May 10, 1994; eff. May 30, 1994.
**Repealed:** New Rule of same title adopted. F. May 15, 1995; eff. June 4, 1995.

# Chapter 500-7. AMPUTATIONS.

## Rule 500-7-.01. Restrictions Placed on the Performance of Amputations Distal to and Including the Tarsometatarsal Joint.

Any podiatrist performing an amputation as described in O.C.G.A. 43-35-3(5)(F) must be currently credentialed to perform this procedure at a hospital regulated under Article 1, Chapter 7, Title 31 of the Official Code of Georgia Annotated.

**Cite as Ga. Comp. R. & Regs. R. 500-7-.01**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Restrictions Placed on the Performance of Amputations Distal to and Including the Tarsometatarsal Joint" adopted. F. May 15, 1995; eff. June 4, 1995.

# Chapter 500-8. UNPROFESSIONAL CONDUCT.

## Rule 500-8-.01. Unprofessional Conduct. Amended.

The Georgia State Board of Podiatry Examiners has the authority to refuse to grant or to grant a license to an applicant, or to discipline a podiatrist licensed in the State of Georgia if that individual has engaged in unprofessional conduct. For the purpose of the enforcement and implementation of this rule, unprofessional conduct is defined as, but not limited to, practicing or aiding in the following:

(a) Violating any order of the Georgia State Board of Podiatry Examiners;

(b) Violating a statute, law, or any rule or regulation of this state, any other state, the United States, or any other lawful authority, without regard to whether the violation is criminally punishable, which statute, law or rule or regulation relates to or in part regulates the practice of podiatry, when the licensee or applicant knows or should know that such action is a violation of such statute, law, or rule.

(c) Violating any Consent Order entered into with the Georgia State Board of Podiatry examiners or any other licensing board.

(d) Violating any statutes and/or rules relating to or regulating the practice of podiatry including, but not limited to, the following:

1. The Georgia Podiatry Act (O.C.G.A. T. 43, Ch. 34);
2. The Georgia Controlled Substances Act (O.C.G.A. T. 17, Ch. 13, Art. 2);
3. The Georgia Dangerous Drug Act (O.C.G.A. T. 16 Ch. 13, Art. 3);
4. The Federal Controlled Substances Act (21 USCA, Ch. 13);
5. The Consumer Information and Awareness Act (O.C.G.A. T. 43, Ch. 1, Art. 33);
6. The Rules and Regulations of the Georgia State Board of Podiatry Examiners;
7. The Rules and Regulations of the Georgia Board of Pharmacy, Ch. 480, Rules and Regulation of the State of Georgia, particularly those relating to the prescribing and dispensing of prescription drugs, Chapter 480-28.
8. The Code of Federal Regulation Relating to Controlled Substances (21 C.F.R. Par. 1306); and
9. O.C.G.A. 31-33 Health Records.

(e) Been convicted of any felony or of any crime involving moral turpitude in the courts of this state or any other state, territory or country or in the courts of the United States. As used in this paragraph, the term "felony" shall include any offense which, if committed in this state, would be deemed a felony, without regard to its designation elsewhere; and as used in this paragraph, the term "conviction" shall be deemed to include a finding or verdict of guilty or a plea of guilty, or plea of nolo contendere, regardless of whether an appeal of the conviction has been sought;

(f) Knowingly performing any act which in any way aids, assists, procures, advises, or encourages any unlicensed person or any licensee whose license has been suspended or revoked by the board to practice podiatry or to practice outside the scope of any disciplinary limitation placed upon the licensee by the board;

(g) Practicing fraud, forgery, deception or conspiracy in connect ion with an examination for licensure, an application or a license renewal;

(h) Knowingly making misleading, deceptive, untrue, or fraudulent representations in connection with the filing of any insurance claim;

(i) Failing to maintain appropriate records whenever controlled drugs are prescribed. Appropriate records, at a minimum, shall contain the following:

1. The patient's name and address;
2. The date, drug name, drug quantity, and diagnosis for all controlled drugs; and
3. Record concerning the patient's history.

(j) Prescribing for habitual drug users in the absence of substantial pediatric purpose;

(k) Any departure from, or the failure to conform to, the minimal standards of acceptable and prevailing podiatric practice;

(l) Committing any act of nonconsensual sexual intimacies, abuse, misconduct or exploitation related to the licensee's practice of podiatry;

(m) Failing to conform to current recommendations of the Centers for Disease Control (C.D.C.) for the transmission of Immunodeficiency Virus and Hepatitis B. Virus to patients. It is the responsibility of all currently licensed podiatrists to maintain familiarity with these recommendations, which are considered by the Board to be minimum standards of acceptable and prevailing pediatric practice. (Copies of the guidelines may be obtained from the Centers for Disease Control, the Department of Human Resources, or from the Board.)

**Cite as Ga. Comp. R. & Regs. R. 500-8-.01**
**Authority: O.C.G.A. §§ 43-35-9(10), 43-35-16(a)(13), 43-35-16(a)(14), 43-1-19, 43-1-25, 43-1-33(f).**
**History.** Original Rule entitled "Unprofessional Conduct" adopted. F. May 15, 1995; eff. June 4, 1995.
**Amended:** New title "Unprofessional Conduct. Amended." F. Apr. 15, 2016; eff. May 5, 2016.

# Chapter 500-9. FEES.

## Rule 500-9-.01. Fees.

The required fees for examination application, examinations; renewals, delinquent renewals; temporary licenses; and duplicate wall certificates are as shown on the schedule of fees adopted by the Board. Fees may be reviewed and changed at the discretion of and by action of the Board. Requests for refund of any of the above fees must be submitted in writing.

**Cite as Ga. Comp. R. & Regs. R. 500-9-.01**
**Authority: O.C.G.A. Sec. 43-35-9.**
**History.** Original Rule entitled "Fees" adopted. F. May 15, 1995; eff. June 4, 1995.