

# THE FLORIDA BOARD OF PODIATRIC MEDICINE

## ANNUAL REGULATORY PLAN 2019-20

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes*. The Plan covers the period beginning October 1, 2019 and ending September 30, 2020.

### PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2019 Legislative Session which creates or modifies the duties or authority of the Board of Podiatric Medicine. §120.74(1)(a), Fla. Stat.

| Law Enacted or Modified on or after Oct. 1, 2018 | Florida Statute (modified or created)                                      | Rule (impacted)   | Must Agency Adopt Rules? | If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register? | Expected Publication Date for Notice of Proposed Rulemaking | If Rulemaking Not Necessary, Explain   |
|--|--|---|--------------------------|--|---|--|
| 2019-152 Human Trafficking                       | 456.0341 Requirements for instruction on controlled substance prescribing. | 64B18-17.001 Continuing Education Required for License Renewal. | No                       |  |   | While rulemaking is not mandatory, the Board plans to review proposed language at its October 2019 meeting to address human trafficking education to implement Section 456.0341. |

|                                    |   |  |    |  |  |   |
|------------------------------------|---|--|----|--|--|---|
| 2019-137<br>Telehealth             | 456.47 Use of telehealth to provide services.     | New Rule   | No |  |  | The Board will discuss this new law at its October 2019 public meeting and propose rulemaking as it deems appropriate.  |
| 2019-112<br>Electronic Prescribing | 456.42 Written prescriptions for medicinal drugs. | 64B18-14.009(4)(f)<br>Minor Violations;<br>Notices of Noncompliance. | No |  |  | The Board will review and discuss this change in law at its October 2019 meeting and update rule language regarding written prescriptions and electronic prescriptions as may be necessary to be consistent with 456.42 and 465.026 |

**PART TWO**  
**LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING**

Part Two of this plan addresses those laws which the Board of Podiatric Medicine intends to implement through rulemaking by July 1, 2020 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2020. §120.74(1)(b), Fla. Stat.

| <b>Rule Number<br/>And Title</b>  | <b>Law Expected to Be Implemented<br/>Through Rulemaking</b> | <b>Intent of Rulemaking</b>   |
|---|--|---|
| Rules 64B18-11.001, 16.006, 24.001<br>Licensure Applications or<br>Registration Requirements for<br>Podiatrists, Podiatric Residents, and<br>Podiatric X-Ray Assistants | 456.013, 456.0635, 461.006, 461.014,                         | Update, simplify, and clarify<br>applications; ensure applications<br>are consistent with laws<br>implemented.        |
| 64B18-13.008 Procedure for<br>Reactivation of Inactivation of<br>Inactive Status to Active Status.  | 461.007, 461.008   | Clarify procedures for reactivation<br>of license to be consistent with<br>461.007 requirement of active<br>practice. |
| 64B18-14.002 Disciplinary<br>Guidelines   | 456.072, 461.012   | Update to ensure all potential<br>violations are addressed; clarify<br>existing language.                             |

|   |   |   |
|---|---|---|
| 64B18-14.009 Minor Violations;<br>Notices of Non-Compliance                             | 120.695   | Update list of minor violations.  |
| 64B18-17.001 Continuing Education<br>Required for License Renewal.                      | 456.013, 456.0301, 456.033, 461.007,<br>461.008 | Update to provide additional means<br>of receiving continuing education<br>credits for renewing license; update<br>to provide information on<br>mandatory continuing education;<br>clarify existing language. |
| 64B18-17.005 Continuing Education<br>Requirements After Initial Licensure               | 456.013, 456.033                                | Update and clarify rule to be<br>consistent with statutes<br>implemented.   |
| 64B18-24.003 (New) Reporting<br>Requirement for Certified Podiatric<br>X-Ray Assistants | 461.0135  | Promulgate rule ensuring that x-ray<br>assistants timely advise their<br>supervisors of any changes to the<br>assistant's licensure status.   |

**PART THREE**  
**UPDATES TO PRIOR YEAR'S PLAN**

Part Three of the Plan addresses whether there are any updates to the prior year's regulatory plan. §120.74(c), Fla. Stat.

- There are no updates to the prior year's annual regulatory plan.

**PART FOUR**  
**CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2019)**

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Podiatric Medicine regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 30th day of June 2019 with continuing board review through August 2019.

*/S/ Joseph Sindone, D.P.M.*

Electronic Signature

Joseph Sindone, D.P.M.,

Chair of the Board of Podiatric Medicine

September 9, 2019

Date Signed

*/S/ Lynette Norr, Esq.*

Electronic Signature

Lynette Norr

Assistant Attorney General

Counsel to the Board of Podiatric Medicine

September 9, 2019

Date Signed