

# FINAL BILL REPORT

## HB 1198

---

C 22 L 17  
Synopsis as Enacted

**Brief Description:** Concerning substance abuse monitoring for podiatric physicians and surgeons.

**Sponsors:** Representatives Harris, Cody and Riccelli.

**House Committee on Health Care & Wellness**  
**Senate Committee on Health Care**

### **Background:**

A health professions disciplining authority may refer a licensee to a substance abuse monitoring program in lieu of formal discipline if the disciplining authority determines that unprofessional conduct is the product of substance abuse. The licensee must consent to the referral. The referral may include probationary conditions. If the licensee does not consent to the referral or fails to meet the requirements of the program, the disciplining authority may take formal disciplinary action against the licensee.

The Podiatric Medical Board (PMB) contracts with a substance abuse monitoring program to help oversee a podiatric physician and surgeon's compliance with program requirements.

Rules adopted by the PMB require the program to:

- maintain records on program participants;
- be responsible for providing feedback to a participant as to whether treatment progress is acceptable;
- report to the PMB any participant who fails to comply with requirements of the program;
- provide the PMB with statistical reports and financial statements; and
- be able to evaluate drug screening laboratories, lab results, substance abuse treatment providers, support groups, participants' work environments, and the ability of podiatric physicians and surgeons to practice with reasonable skill and safety.

The program may provide evaluations or treatment to participants. The program may also evaluate and recommend whether a podiatric physician and surgeon should be prohibited from practice for a period of time and any restrictions on the podiatric physician and surgeon's access to controlled substances.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The costs of treatment are borne by the participating podiatric physician and surgeon. The PMB imposes a \$25 surcharge on licensees to pay for staff at the monitoring program, who act as case managers and provide information to licensees on treatment options.

**Summary:**

The requirement for the Podiatric Medical Board (PMB) to contract with a substance abuse monitoring program is placed in statute. The PMB must enter into a contract with an entity that may include any or all of the following:

- contracting with providers of treatment programs;
- receiving and evaluating reports of impairment;
- intervening when there is verified impairment;
- referring impaired podiatric physicians and surgeons to treatment programs;
- monitoring the treatment and rehabilitation of impaired podiatric physicians and surgeons; and
- providing education, prevention of impairment, post-treatment monitoring, and support to impaired podiatric physicians and surgeons.

The surcharge imposed by the PMB for the program is increased from \$25 to \$50.

**Votes on Final Passage:**

House	92	6
Senate	47	2

**Effective:** July 23, 2017