

WSR 22-14-103

PROPOSED RULES

DEPARTMENT OF HEALTH

(Podiatric Medical Board)

[Filed July 5, 2022, 5:13 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-17-050.

Title of Rule and Other Identifying Information: WAC 246-922-300 Podiatric continuing medical education required and 246-922-310 Categories of creditable podiatric continuing medical education activities. The podiatric medical board is proposing amendments to update and clarify the continuing medical education rules for podiatric physicians.

Hearing Location(s): On August 11, 2022, at 1:00 p.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the podiatric medical board (board) will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead.

Webinar only, link [Date of Intended Adoption: August 11, 2022.](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDA2MTA2NDktMDc0Mi00NDdmLThkYTAtYzNkMGNmNjYyN2I0%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%220id%22%3a%225d370fd2-d693-4979-9942-011211788fd0%22%7d; or Call-in (audio only) 1-564-999-2000, Conference ID 187 889 849#. Public may attend this virtual meeting either through computer or by telephone.</p></div><div data-bbox=)

Submit Written Comments to: Susan Gragg, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, podiatric@doh.wa.gov, by August 4, 2022.

Assistance for Persons with Disabilities: Contact Susan Gragg, phone 360-236-4941, fax 360-236-2901, TTY 711, email podiatric@doh.wa.gov, by August 4, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The board is proposing amendments to update and clarify existing continuing medical education (CME) regulations for podiatric physicians. The proposed amendments include acceptance of maintenance of specialty board certification as meeting the full 100 hour CME requirement; clarification on how participation in residency training qualifies for CME; clarification that CME activities may be completed either in-person, by remote attendance, or through interactive online or prerecorded courses. The board also proposes changes to the numbers of hours required or allowed in the various categories of CME and adding additional options to the activities recognized under Category 3.

Reasons Supporting Proposal: The board routinely receives questions related to acceptable CME, as well as what is acceptable electronically transmitted CME offerings. The board is proposing these rule amendments to clarify the type and corresponding number of hours that are accepted to fulfill the practitioner CME requirements to maintain licensure.

Statutory Authority for Adoption: RCW 18.22.015.

Statute Being Implemented: RCW 18.22.015.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington state podiatric medical board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Susan Gragg, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4941.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Susan Gragg, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4941, fax 360-236-2901, TTY 711, email podiatric@doh.wa.gov.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The proposed rules do not apply to businesses.

July 5, 2022
Megan Maxey
Executive Director

OTS-3714.2

AMENDATORY SECTION (Amending WSR 16-01-106, filed 12/16/15, effective 10/1/17)

WAC 246-922-300 Podiatric continuing medical education required.

(1) (~~The board encourages podiatric physicians and surgeons to deliver high-quality patient care. The board recognizes that continuing education programs designed to inform practitioners of recent developments within podiatric medicine and relative fields and review of various aspects of basic professional education and podiatric practice are beneficial to professional growth.~~) The board requires (~~participation~~) a licensed podiatric physician and surgeon to participate in podiatric continuing medical education as a mechanism to maintain and enhance competence and stay informed of recent developments within podiatric medicine and related fields.

(2) A podiatric physician and surgeon must complete (~~one hundred~~) 100 hours of continuing education every two years and comply with (~~chapter 246-12 WAC, Part 7~~) WAC 246-12-170 through 246-12-240 and WAC 246-922-310.

(3) To satisfy the continuing medical education requirements identified in subsection (2) of this section, a podiatric physician and surgeon may:

(a) Serve as a resident in an approved postgraduate residency training program; (~~or~~) such individuals shall be credited 50 hours for each year of training completed during their continuing medical education cycle;

(b) Certify or recertify within the previous four years with a specialty board recognized by the Council on Podiatric Medical Education (CPME); or

(c) Meet the requirements for participation in a maintenance of certification program for a specialty board recognized by the CPME.

[Statutory Authority: RCW 18.22.005, 18.22.015, and 18.130.050. WSR 16-01-106, § 246-922-300, filed 12/16/15, effective 10/1/17. Statutory Authority: RCW 18.22.015. WSR 99-20-096, § 246-922-300, filed 10/5/99, effective 11/5/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-922-300, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.22.015. WSR 94-05-051, § 246-922-300, filed 2/10/94, effective 3/13/94; WSR 91-10-041 (Order 158B), § 246-922-300, filed 4/25/91, effective 5/26/91.]

AMENDATORY SECTION (Amending WSR 16-01-106, filed 12/16/15, effective 10/1/17)

WAC 246-922-310 Categories of creditable podiatric continuing medical education activities. To meet the requirements of WAC 246-922-300, a podiatric physician and surgeon shall earn continuing medical education in the following board-approved categories; such activities may be obtained through in-person or remote attendance, or through interactive online or prerecorded courses:

(1) Category 1 - A minimum of (~~(fifty)~~) 40 hours; however, all (~~(one hundred)~~) 100 credit hours may be earned in this category. Category 1 activities include:

(a) Scientific courses or seminars approved, offered, or sponsored by the American Podiatric Medical Association and its component societies and affiliated and related organizations; (~~and~~)

(b) Scientific courses or seminars offered or sponsored by entities such as the American College of Foot and Ankle Surgery, the American Medical Association, the American Osteopathic Association, the American Heart Association, the American Diabetes Association, or the American Physical Therapy Association when offering or sponsoring continuing medical education programs related to podiatric medicine; and

(c) Scientific courses or seminars accredited by the Council on Podiatric Medical Education or the Accrediting Council for Continuing Medical Education.

(2) Category 2 - A maximum of (~~(fifty)~~) 50 hours. Category 2 activities include courses or seminars related to health care delivery offered or sponsored by entities such as nonprofit organizations, other proprietary organizations, and individuals when offering or sponsoring continuing medical education in health care delivery.

(3) Category 3 - A maximum of (~~(fifty)~~) 60 hours. Category 3 credit hours and activities include:

(a) Up to (~~(twenty)~~) 30 hours through teaching, lecturing, and publishing in a peer-reviewed, scientific journal or textbook;

(b) Up to (~~(twenty)~~) 30 hours through online prerecorded or remote-attended study and programs not otherwise specified in subsection (1) or (2) of this section;

(c) Up to (~~(twenty)~~) 30 hours through self-study including, but not limited to, specialty board examination preparation, reading books, papers, and publications, participating in journal clubs, or viewing or attending exhibits; and

(d) Up to (~~(thirty)~~) 30 hours for participation (~~(on a staff committee for quality of care or utilization review)~~) in a health care institution or government agency (~~(, such as serving on a hospital)~~):

(i) Peer-review committee;

(ii) Staff committee for subjects including, but not limited to, quality of care, utilization review, credentialing, bylaws, and medical records;

(iii) Surgical privilege credentialing to include proctoring activity; or

(iv) Serving as a board member on the podiatric medical board.

(4) One contact hour is defined as a typical (~~fifty-minute~~) 50-minute classroom instructional session or its equivalent.

(5) The board will not give prior approval for any continuing medical education. The board will accept any continuing medical education that reasonably falls within these regulations and relies upon the integrity of each individual podiatric physician and surgeon to comply with these requirements.

[Statutory Authority: RCW 18.22.005, 18.22.015, and 18.130.050. WSR 16-01-106, § 246-922-310, filed 12/16/15, effective 10/1/17. Statutory Authority: RCW 18.22.015. WSR 99-20-096, § 246-922-310, filed 10/5/99, effective 11/5/99; WSR 94-05-051, § 246-922-310, filed 2/10/94, effective 3/13/94; WSR 91-10-041 (Order 158B), § 246-922-310, filed 4/25/91, effective 5/26/91.]