

**KANSAS STATE BOARD
OF
HEALING ARTS**



**KANSAS
STATUTES
ANNOTATED
AND**

**KANSAS
ADMINISTRATIVE
REGULATIONS**

Relating to the practice of

**Podiatry
July 2021**

NOTE: The laws and regulations listed in this website booklet are not to be considered the official authority on the current law. While every effort has been made to ensure the accuracy and completeness of this information, for legal purposes the law should be obtained from the Kansas statute books and the regulations from the Kansas Secretary of State's Administrative Regulations.

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

- [65-2001.](#) Podiatry act; definitions.
- [65-2002.](#) License required; scope of practice; applicability of act; surgical treatment of the ankle; podiatry interdisciplinary advisory committee.
- [65-2003.](#) Examination for license to practice podiatry; licensure qualifications; license by endorsement; recognized school of podiatry, criteria.
- [65-2004.](#) Nature and scope of examinations; passing grade; fees; reexamination.
- [65-2005.](#) Designation of licensee; expiration and renewal of license; reinstatement of license; temporary permits; temporary licenses; exempt license; display of license or permit; postgraduate permit; inactive license; federally active licensee.
- [65-2006.](#) Suspension, revocation or limitation of licenses and permits; grounds; consent to submit to mental or physical examination implied; professional incompetency and unprofessional conduct defined; hearing procedure.
- [65-2007.](#) Violation of act; penalty.
- [65-2008.](#) Exceptions to operation of act.
- [65-2009.](#) Injunction or ouster for unlawful practice.
- [65-2010.](#) Continuing education.
- [65-2011.](#) Disposition of moneys; healing arts fee fund.
- [65-2012.](#) Fees, establishment within limitations.
- [65-2013.](#) Rules and regulations.
- [65-2014.](#) Citation of act.
- [65-2015.](#) Civil fine for violation of podiatry act.
- [65-2016.](#) Review committee; establishment and appointment; qualifications; expenses.

65-2001

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2001. Podiatry act; definitions.

As used in the podiatry act, unless the context otherwise requires:

- (a) “Board” means the state board of healing arts.
- (b) “Podiatrist” means one practicing podiatry.
- (c) “Podiatry” means the diagnosis and medical and surgical treatment of all illnesses of the human foot, including the ankle and tendons which insert into the foot as well as the foot, subject to subsection (d) of K.S.A. 65-2002, and amendments thereto.

History: L. 1927, ch. 246, § 1; L. 1979, ch. 197, § 1; L. 2014, ch. 131, § 60, May 22, 2014.

65-2002

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2002. License required; scope of practice; applicability of act; surgical treatment of the ankle; podiatry interdisciplinary advisory committee.

- (a) It shall be unlawful for any person to profess to be a podiatrist, to practice or assume the duties incidental to podiatry, to advertise or hold oneself out to the public as a podiatrist, or to use any sign or advertisement with the word or words podiatrist, foot specialist, foot correctionist, foot expert, practapedist or chiropodist, or any other term or terms indicating that such person is a podiatrist or that such person practices or holds oneself out as practicing podiatry or foot correction in any manner, without first obtaining from the board a license authorizing the practice of podiatry in this state, except as hereinafter provided.
 - (b) A licensed podiatrist shall be authorized to prescribe such drugs or medicine, and to perform such surgery on the human foot, ankle and tendons that insert into the foot, including amputation of the toes or part of the foot, as may be necessary to the proper practice of podiatry, but no podiatrist shall amputate the human foot or administer any anesthetic other than local.
 - (c) This act shall not prohibit the recommendation, advertising, fitting or sale of corrective shoes, arch supports, or similar mechanical appliances, or foot remedies by manufacturers, wholesalers or retail dealers.
 - (d) No podiatrist shall perform surgery on the ankle unless such person has completed a two- year post-doctoral surgical residency program prior to July 1, 2007, or a three-year post-doctoral surgical residency program on or after July 1, 2007, in reconstructive rearfoot/ankle surgery and is either board-certified or board qualified progressing to board certification in reconstructive rearfoot/ankle surgery by a nationally recognized certifying organization acceptable to the board. Surgical treatment of the ankle by a podiatrist shall be performed only in a medical care facility, as defined in K.S.A. 65-425, and amendments thereto.
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History: L. 1927, ch. 246, § 2; L. 1951, ch. 362, § 1; L. 1975, ch. 323, § 1; L. 1979, ch. 197, § 2; L. 1988, ch. 246, § 1; L. 1997, ch. 88, § 1; L. 2014, ch. 131, § 61, May 22, 2014; L. 2019, ch. 67, § 3, July 1, 2019.

65-2003

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2003. Examination for license to practice podiatry; licensure qualifications; license by endorsement; recognized school of podiatry, criteria.

- (a) Examinations for a license to practice podiatry in this state shall be held at the same time and place as the examinations held by the board under the Kansas healing arts act. All applicants for a license to practice podiatry under the provisions of this act: (1) Shall have attained the age of 21 years; (2) shall have completed at least four years of instruction in, and be graduates of, a school of podiatry which is recognized as being in good standing by the board; and (3) commencing with applicants for a license to be granted on or after July 1, 1988, shall have completed acceptable postgraduate study as may be established by the board by rules and regulations.
- (b) Applicants licensed, registered or certified by a board of examiners of any other state or country whose requirements for licensure, registration or certification are substantially equal to those of this state in the opinion of the state board of healing arts may be granted, upon payment of the endorsement license fee established pursuant to K.S.A. 65-2012, and amendments thereto, a license without examination.
- (c) The board shall adopt rules and regulations establishing the criteria which a school of podiatry shall satisfy to be recognized as being in good standing by the board under subsection (a). The board may send a questionnaire developed by the board to any school of podiatry for which the board does not have sufficient information to determine whether the school meets the requirements of subsection (a) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the school to be recognized as being in good standing. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about schools of podiatry. In entering such contracts the authority to approve schools shall remain solely with the board.

History: Laws 1927, ch. 246, § 4; Laws 1951, ch. 362, § 2; Laws 1975, ch. 323, § 2; Laws 1979, ch. 197, § 3; Laws 1983, ch. 213, § 5; Laws 1984, ch. 232, § 1; Laws 1988, ch. 243, § 9; Laws 1988, ch. 246, § 2; Laws 1988, ch. 245, § 2.

65-2004

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2004. Nature and scope of examinations; passing grade; fees; reexamination.

- (a) Except as provided in subsection (b) of K.S.A. 65-2003, and amendments thereto, each applicant for a license to practice podiatry shall be examined by the board in the following subjects: Anatomy, bacteriology, chemistry, dermatology, histology, pathology, physiology, pharmacology and medicine, diagnosis, therapeutics, and clinical podiatry and surgery, limited in their scope to the treatment of the human foot, including the ankle and tendons which insert into the foot as well as the foot. If the applicant possesses the qualifications required by K.S.A. 65- 2003, and amendments thereto, completes the examination prescribed with the passing grade as established by rules and regulations of the board and pays to the board the license fee established pursuant to K.S.A. 65-2012, and amendments thereto, such applicant shall be issued a license by the board to practice podiatry in this state.
- (b) Each applicant before taking the examination shall pay to the board the examination fee established pursuant to K.S.A. 65-2012, and amendments thereto. Any applicant failing the examination may have a reexamination in accordance with criteria established by rules and regulations of the board, which criteria may limit the number of times an applicant may retake the examination.

History: L. 1927, ch. 246, § 5; L. 1975, ch. 323, § 3; L. 1979, ch. 197, § 4; L. 1987, ch. 239, § 1; L. 1987, ch. 240, § 1; L. 1988, ch. 246, § 3; L. 2014, ch. 131, § 62, May 22, 2014.

65-2005

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2005. Designation of licensee; expiration and renewal of license; reinstatement of license; temporary permits; temporary licenses; exempt license; display of license or permit; postgraduate permit; inactive license; federally active licensee.

- (a) A licensee shall be designated a licensed podiatrist and shall not use any title or abbreviations without the designation licensed podiatrist, practice limited to the human foot, including the ankle and tendons which insert into the foot as well as the foot, and shall not mislead the public as to such licensee's limited professional qualifications to treat human ailments. Whenever a registered podiatrist, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to refer to or designate a licensed podiatrist.
- (b) The license of each licensed podiatrist shall expire on the date established by rules and regulations of the board which may provide renewal throughout the year on a continuing basis. In each case in which a license is renewed for a period of time of less than one year, the board may prorate the amount of the fee established under K.S.A. 65-2012, and amendments thereto. The request for renewal shall be on a form provided by the board and shall be accompanied by the renewal fee established under K.S.A. 65-2012, and amendments thereto, which shall be paid not later than the expiration date of the license. At least 30 days before the expiration of a licensee's license, the board shall notify the licensee of the expiration by mail addressed to the

licensee's last mailing address as noted upon the office records. If a licensee fails to pay the renewal fee by the date of expiration, the licensee shall be given a second notice that the licensee's license has expired and the license may be renewed only if the renewal fee and the late renewal fee are received by the board within the thirty-day period following the date of expiration and that, if both fees are not received within the thirty-day period, such licensee's license shall be canceled by operation of law and without further proceedings for failure to renew and shall be reissued only after the licensee has been reinstated under subsection (c).

- (c) Any licensee who allows the licensee's license to be canceled by failing to renew may be reinstated upon recommendation of the board and upon payment of the renewal fee and the reinstatement fee established pursuant to K.S.A. 65-2012, and amendments thereto, and upon submitting evidence of satisfactory completion of the applicable reeducation and continuing education requirements established by the board. The board shall adopt rules and regulations establishing appropriate reeducation and continuing education requirements for reinstatement of persons whose licenses have been canceled for failure to renew.
- (d) The board, prior to renewal of a license, shall require the licensee, if in the active practice of podiatry within Kansas, to submit to the board evidence satisfactory to the board that the licensee is maintaining a policy of professional liability insurance as required by K.S.A. 40-3402, and amendments thereto, and has paid the annual premium surcharge as required by K.S.A. 40-3404, and amendments thereto.
- (e) The board may issue a temporary permit to practice podiatry in this state to any person making application for a license to practice podiatry who meets the required qualifications for a license and who pays to the board the temporary permit fee established pursuant to K.S.A. 65-2012, and amendments thereto. A temporary permit shall authorize the permittee to practice within the limits of the permit until the license is issued or denied to the permittee by the board.
- (f) The board may issue a postgraduate permit to practice podiatry to any person engaged in a full-time, approved postgraduate study program; has made application for such postgraduate permit upon a form provided by the board; meets all the qualifications for a license, except the examination required under K.S.A. 65-2004, and amendments thereto; and has paid the fee established pursuant to K.S.A. 65-2012, and amendments thereto. The postgraduate permit shall authorize the person receiving the permit to practice podiatry in the postgraduate study program, but shall not authorize practice outside of the postgraduate study program. The postgraduate permit shall be canceled if the permittee ceases to be engaged in the postgraduate study program.
- (g) The board may issue, upon payment to the board of the temporary license fee established pursuant to K.S.A. 65-2012, and amendments thereto, a temporary license to a practitioner of another state or country who is appearing as a clinician at meetings, seminars or training programs approved by the board, if the practitioner holds a current license, registration or certificate as a podiatrist from another state or country and the sole purpose of such appearance is for promoting professional education.
- (h) There is hereby created a designation of exempt license. The board is authorized to issue an exempt license to any licensee who makes written application for such license on a form

provided by the board and remits the fee for an exempt license established under K.S.A. 65-2012, and amendments thereto. The board may issue an exempt license only to a person who has previously been issued a license to practice podiatry within Kansas, who is no longer regularly engaged in such practice and who does not hold oneself out to the public as being professionally engaged in such practice. An exempt license shall entitle the holder to all privileges attendant to the practice of podiatry. Each exempt license may be renewed annually subject to the other provisions of this section and other sections of the podiatry act. Each exempt licensee shall be subject to all provisions of the podiatry act, except as otherwise provided. The holder of an exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing education required under the podiatry act. Each exempt licensee may apply for a license to regularly engage in the practice of podiatry upon filing a written application with the board and submitting evidence of satisfactory completion of the applicable and continuing education requirements established by the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established under K.S.A. 65-2012, and amendments thereto. The board shall adopt rules and regulations establishing appropriate and continuing education requirements for exempt licensees to become licensed to regularly practice podiatry within Kansas.

- (i) There is hereby created a designation of inactive license. The board is authorized to issue an inactive license to any licensee who makes written application for such license on a form provided by the board and remits the fee for an inactive license established pursuant to K.S.A. 65-2012, and amendments thereto. The board may issue an inactive license only to a person who meets all the requirements for a license to practice podiatry in Kansas, who is not regularly engaged in the practice of podiatry in Kansas, who does not hold oneself out to the public as being professionally engaged in such practice and who meets the definition of inactive health care provider as defined in K.S.A. 40-3401, and amendments thereto. An inactive license shall not entitle the holder to practice podiatry in this state. Each inactive license may be renewed subject to the provisions of this section. Each inactive licensee shall be subject to all provisions of the podiatry act, except as otherwise provided in this subsection. The holder of an inactive license shall not be required to submit evidence of satisfactory completion of a program of continuing education required by K.S.A. 65-2010, and amendments thereto. Each inactive licensee may apply for a license to regularly engage in the practice of podiatry upon filing a written application with the board. The request shall be on a form provided by the board and shall be accompanied by the license fee established pursuant to K.S.A. 65-2012, and amendments thereto. For those licensees whose license has been inactive for less than two years, the board shall adopt rules and regulations establishing appropriate continuing education requirements for inactive licensees to become licensed to regularly practice podiatry within Kansas. Any licensee whose license has been inactive for more than two years and who has not been in the active practice of podiatry or engaged in a formal education program since the licensee has been inactive may be required to complete such additional testing, training or education as the board may deem necessary to establish the licensee's present ability to practice with reasonable skill and safety.
- (j) There is hereby created a designation of federally active license. The board is authorized to issue a federally active license to any licensee who makes written application for such license on a form provided by the board and remits the same fee required for a license established under K.S.A. 65-2012, and amendments thereto. The board may issue a federally active license only to a person who meets all the requirements for a license to practice podiatry in Kansas and who practices podiatry solely in the course of employment or active duty in the United States government or any of its departments, bureaus or agencies or who, in addition to such employment or assignment, provides professional services as a charitable health care provider

as defined under K.S.A. 75-6102, and amendments thereto. The provisions of subsections (b) and

- (c) of this section relating to expiration, renewal and reinstatement of a license and K.S.A. 65-2010, and amendments thereto, relating to continuing education shall be applicable to a federally active license issued under this subsection. A person who practices under a federally active license shall not be deemed to be rendering professional service as a health care provider in this state for purposes of K.S.A. 40-3402, and amendments thereto.
- (k) Each license or permit granted under this act shall be conspicuously displayed at the office or other place of practice of the licensee or permittee.
- (l) A person whose license has been revoked may apply for reinstatement of the license after the expiration of three years from the effective date of the revocation. Application for reinstatement shall be on a form provided by the board and shall be accompanied by a reinstatement of a revoked license fee established by the board under K.S.A. 65-2012, and amendments thereto. The burden of proof by clear and convincing evidence shall be on the applicant to show sufficient rehabilitation to justify reinstatement of the license. If the board determines a license should not be reinstated, the person shall not be eligible to reapply for reinstatement for three years from the effective date of the denial. All proceedings conducted on an application for reinstatement shall be in accordance with the provisions of the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act. The board, on its own motion, may stay the effectiveness of an order of revocation of license.

History: L. 1927, ch. 246, § 6; L. 1951, ch. 362, § 3; L. 1974, ch. 254, § 1; L. 1975, ch. 323, § 4; L. 1979, ch. 197, § 5; L. 1987, ch. 240, § 2; L. 1988, ch. 246, § 4; L. 1992, ch. 253, § 1; L. 2004, ch. 117, § 15; L. 2010, ch. 17, § 136, July 1, 2010; L. 2014, ch. 131, § 63, May 22, 2014.

65-2006

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2006. Suspension, revocation or limitation of licenses and permits; grounds; consent to submit to mental or physical examination implied; professional incompetency and unprofessional conduct defined; hearing procedure.

- (a) The board, upon hearing, may revoke, suspend or limit any license or permit to practice podiatry, may deny issuance or renewal of any such license or permit, or may publicly or privately censure a licensee or permittee, if the person holding or applying for such license or permit is found by the board to:
 - (1) Have committed fraud in securing the license or permit;
 - (2) have engaged in unprofessional or dishonorable conduct or professional incompetency;
 - (3) have been convicted of a felony if the board determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust;

- (4) have used untruthful or improbable statements or flamboyant, exaggerated or extravagant claims in advertisements concerning the licensee's or permit holder's professional excellence or abilities;
 - (5) be addicted to or have distributed intoxicating liquors or drugs for any other than lawful purposes;
 - (6) have willfully or repeatedly violated the podiatry act, the pharmacy act or the uniform controlled substances act, or any rules and regulations adopted thereunder, or any rules and regulations of the secretary of health and environment which are relevant to the practice of podiatry;
 - (7) have unlawfully invaded the field of practice of any branch of the healing arts;
 - (8) have failed to submit proof of completion of a continuing education course required pursuant to the podiatry act;
 - (9) have engaged in the practice of podiatry under a false or assumed name or impersonated another podiatrist, but practice by a licensee or permit holder under a professional corporation or other legal entity duly authorized to provide podiatry services in the state shall not be considered to be practice under an assumed name;
 - (10) be unable to practice podiatry with reasonable skill and safety to patients by reason of any mental or physical condition, illness, alcoholism or excessive use of drugs, controlled substances or chemical or any other type of material;
 - (11) have had the person's license or permit to practice podiatry revoked, suspended or limited, or have had other disciplinary actions taken or an application for a license or permit denied, by the proper licensing authority of any state, territory or country or the District of Columbia;
 - (12) have violated any rules and regulations of the board or any lawful order or directive of the board;
 - (13) have knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement; or
 - (14) have assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21- 5407, and amendments thereto, as established by any of the following:
 - (A) A copy of the record of criminal conviction or plea of guilty for a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto.
 - (B) A copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404, and amendments thereto.
 - (C) A copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.
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- (b) In determining whether or not a licensee or permit holder is unable to practice podiatry with reasonable skill and safety to patients as provided in subsection (a)(10), the board, upon probable cause, shall have authority to compel a licensee or permit holder to submit to mental or physical examination by such persons as the board may designate. Failure of a licensee or permit holder to submit to such examination when directed shall constitute an admission of the allegations against the licensee or permit holder, unless the failure was due to circumstances beyond the licensee's or permit holder's control. A person affected by this subsection shall be offered, at reasonable intervals, an opportunity to demonstrate that such person can resume the competent practice of podiatry with reasonable skill and safety to patients. Each licensee or permit holder accepting the privilege to practice podiatry in this state, by practicing podiatry in this state or by making and filing an application for a license or permit, or renewal of a license or permit, to practice podiatry in this state, shall be deemed to have consented to submit to a mental or physical examination when directed in writing by the board pursuant to this subsection and to have waived all objections to the admissibility of the testimony or examination report of the person conducting such examination at any proceeding or hearing before the board on the ground that such testimony or examination report constitutes a privileged communication. The record of any board proceedings involving a mental or physical examination pursuant to this subsection shall not be used in any other administrative or judicial proceeding. Whenever the board directs that a licensee or permit holder submit to an examination pursuant to this subsection, the time from the date of the board's directive until the submission to the board of the report of the examination shall not be included in the computation of the time limit for hearing prescribed by the Kansas administrative procedure act.
- (c) As used in this section, "professional incompetency" and "unprofessional conduct" shall have the meanings ascribed thereto by K.S.A. 65-2837, and amendments thereto.
- (d) The procedure for revocation, suspension, limitation, temporary suspension, temporary limitation, or for denial of issuance or renewal pursuant to this section, of any license or permit to practice podiatry shall be in accordance with the provisions of the Kansas administrative procedure act.

History: L. 1927, ch. 246, § 7; L. 1975, ch. 323, § 5; L.1979, ch. 197, § 6; L. 1984, ch. 313, § 117; L. 1986, ch. 234, § 4; L. 1988, ch. 246, § 5; L. 1998, ch. 142, § 11; L. 2011, ch. 30, § 239, July 1, 2011.

65-2007

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2007. Violation of act; penalty.

Any person who knowingly violates any of the provisions of this act shall, upon conviction thereof, be fined not more than three hundred dollars (\$300) or shall be imprisoned in the county jail for a period of not to exceed ninety (90) days.

History: L. 1927, ch. 246, § 9; L. 1975, ch. 323, § 6.

65-2008

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2008. Exceptions to operation of act.

This act shall not apply to persons licensed by the state board of healing arts to practice medicine and surgery, nor to the surgeons of the United States army, navy, and United States public health service when in actual performance of their official duties.

History: L. 1927, ch. 246, § 10; L. 1975, ch. 323, § 7.

65-2009

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2009. Injunction or ouster for unlawful practice.

An action to enjoin or oust from the unlawful practice of podiatry may be brought and maintained in the name of the state of Kansas against any person who shall practice podiatry without being licensed to practice podiatry by the board. This authority shall be in addition to and not in lieu of authority to prosecute criminally any person unlawfully engaged in the practice of podiatry.

History: L.1951, ch. 362, § 4; L. 1975, ch. 323, § 8; L. 1988, ch. 246, § 7.

65-2010

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2010. Continuing education.

- (a) Every licensed podiatrist in the active practice of podiatry within Kansas shall submit with the request for renewal under K.S.A. 65-2005 and amendments thereto evidence of satisfactory completion of a continuing education course approved by the board. The board shall revoke the license of any individual who fails to submit proof of completion of such course. Where a license has been revoked for this cause, the board may later reissue such license if proof of completion of such course is later provided.
- (b) Every licensed podiatrist in the active practice of podiatry within Kansas, in order to comply with the provisions of this section, shall complete such hours of continuing education as may be required by the board by rules and regulations. The following categories of continuing education programs shall count toward satisfying the hourly requirement: (1) Programs offered by colleges of podiatry; (2) veterans administration programs; (3) American podiatry association programs; (4) state podiatry association programs; (5) seminars sponsored by recognized specialty groups of the American podiatry association; and (6) the activities of persons publishing papers, presenting clinics, lecturing and teaching shall be granted 10 credit hours for each hour of original presentation and hour for hour credit for additional presentations of the same material.
- (c) Formal meetings and seminars which are not included in any category of subsection (b) shall be assigned credit by the board upon the licensee furnishing a copy of the program of such meetings and seminars to the board for the board's approval 30 days prior to the license renewal

date. Podiatrists engaged in acceptable internships, residencies, military service or formal graduate study will fulfill their continuing education requirements by the nature of their activities and shall not be required to fulfill the formal requirements for continuing education while involved in the above training programs.

- (d) Commercially sponsored courses shall not constitute approved courses for continuing education credit.
- (e) Each licensed podiatrist shall be responsible for keeping a record of attendance for credit in compliance with the requirements of continuing education established by this section. Such record shall be submitted to the board at the time required by subsection (a). The board may waive educational requirements set forth in subsections (a) and (b) for good cause shown.

History: L. 1974, ch. 254, § 2; L. 1975, ch. 323, § 9; L. 1988, ch. 246, § 8.

65-2011

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2011. Disposition of moneys; healing arts fee fund.

The state board of healing arts shall remit all moneys received by or for it under this act from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the healing arts fee fund. All expenditures from such fund shall be made in accordance with the provisions of K.S.A. 65-2855, and amendments thereto.

History: L. 1975, ch. 323, § 10; L. 2001, ch. 5, § 235; L. 2011, ch. 53, § 31, July 1, 2011.

65-2012

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2012. Fees, establishment within limitations.

The following fees shall be established by rules and regulations adopted by the board and shall be collected by the board:

- (a) For a license to practice podiatry or an inactive license or federally active license, issued on the basis of an examination, an amount of not more than \$300;
- (b) for a license to practice podiatry or an inactive license or federally active license, issued without examination and by endorsement, an amount of not more than \$300;
- (c) for the renewal of a license to practice podiatry or an inactive license or federally active license, an amount of not more than \$500;

- (d) for the renewal of an exempt license, an amount of not more than \$150; for the renewal of an inactive license, an amount of not more than \$150;
- (e) for late renewal of any license, an amount of not more than \$500;
- (f) for reinstatement of a license canceled for failure to renew, an amount of not more than \$300;
- (g) for a temporary permit, an amount of not more than \$60;
- (h) for a temporary license, an amount of not more than \$50;
- (i) for any examination given by the board, an amount equal to the cost to the board of the examination and its administration;
- (j) for a certified statement from the board that a licensee is licensed to practice podiatry in this state, an amount of not more than \$30;
- (k) for any copy of any license issued by the board, an amount of not more than \$30;
- (l) for written verification of any license issued by the board, an amount of not more than \$25;
- (m) for conversion of an exempt or inactive license to a license to practice podiatry, an amount of not more than \$300;
- (n) for reinstatement of a revoked license, an amount of not more than \$1,000; and
- (o) for a postgraduate permit, an amount of not more than \$60.

History: L. 1979, ch. 197, § 7; L. 1988, ch. 246, § 9; L. 1997, ch. 94, § 1; L. 2004, ch. 117, § 16.

65-2013

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2013. Rules and regulations.

The board shall adopt such rules and regulations as necessary to carry out the provisions of the podiatry act, and may amend or revoke any existing rules and regulations adopted by the state podiatry board of examiners.

History: L. 1979, ch. 197, § 8.

65-2014

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2014. Citation of act.

K.S.A. 65-2001 to 65-2013, inclusive, and amendments thereto, shall be known and may be cited as the podiatry act.

History: L. 1979, ch. 197, § 9.

65-2015

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2015. Civil fine for violation of podiatry act.

- (a) The state board of healing arts, in addition to any other penalty prescribed under the podiatry act, may assess a civil fine, after proper notice and an opportunity to be heard, against a licensee for a violation of the podiatry act in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation and \$15,000 for the third violation and for each subsequent violation. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.
- (b) This section shall be part of and supplemental to the podiatry act.

History: L. 1988, ch. 246, § 6; L. 2001, ch. 5, § 236.

65-2016

Chapter 65 – PUBLIC HEALTH ARTICLE 20 – PODIATRY

65-2016. Review committee; establishment and appointment; qualifications; expenses.

The state board of healing arts shall establish and appoint a review committee for the practice of podiatry. The review committee shall be composed of not less than two members. The members shall be licensed podiatrists. Additional members of the review committee may be appointed on an ad hoc basis. Such additional members shall be licensed podiatrists. Members of the state board of healing arts shall not be eligible to act as members of the review committee. Members of the review committee may be selected from names submitted by the state podiatry association. The state board of healing arts shall ensure that no conflict of interest exists by reason of geography, personal or professional relationship, or otherwise, between any of the review committee members and any person whose conduct is being reviewed. Members of the review committee attending meetings of such committee shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto.

History: L. 1992, ch. 137, § 1.

ARTICLE 49. – PODIATRY

- [100-49-1.](#) **Approved schools of podiatry.**
- [100-49-2.](#) **Licensure by examination.**
- [100-49-3.](#) **Licensure by endorsement.**
- [100-49-4.](#) **Fees.**
- [100-49-5.](#) **Expiration of license.**
- [100-49-6.](#) **Education requirements.**
- [100-49-7.](#) **Examinations.**
- [100-49-8.](#) **Continuing education.**
- [100-49-9.](#) **Additional requirements.**
- [100-49-10.](#) **Definition of human foot.**

100-49-1. Approved schools of podiatry.

A school of podiatry shall be deemed by the board to be in good standing if it meets the provisions of CPME 120, “standards and requirements for accrediting colleges of podiatric medicine,” revised November 1997 by the council on podiatric medical education and hereby adopted by reference.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2003; effective May 1, 1980; amended Jan. 10, 2003.)

100-49-2. Licensure by examination.

- (a) Each applicant for licensure by examination shall submit the following materials not later than 30 days prior to the date of examination:
- (1) A completed written application on a form prescribed by the board. The application shall include the full name and address of the applicant;
 - (2) A photograph of the applicant. The photograph shall measure three by four inches and shall be signed across the front by the applicant with the signature of the photographer, the address of the photographer, and the date when the photograph was taken on the back of the photograph. A statement that the photograph is a true picture of the applicant taken within 90 days prior to the date of application shall also be placed on the back of the photograph;
 - (3) An affidavit from an approved college of podiatry stating the dates of attendance at the college, and the date of graduation, over the seal of the college;
 - (4) A certified copy of the podiatry college diploma;
 - (5) A transcript from the podiatry school;
 - (6) A written oath of applicant that all statements are strictly true in every respect; and
 - (7) The appropriate fee.
- (b) All examinations shall be given in the English language only.
- (c) A second re-examination shall require the full payment of the examination fee.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2004, K.S.A. 1983 Supp. 65-2003; effective May 1, 1980; amended May 1, 1984.)

100-49-3. Licensure by endorsement.

- (a) Each applicant for licensure by endorsement shall submit the following materials not later than 30 days preceding the June or the December meeting of the board:
 - (1) A completed written application, on a form prescribed by the board. The application shall include the full name and address of the applicant;
 - (2) A photograph of the applicant. The photograph shall measure three by four inches and shall be signed across the front by the applicant. The name of the photographer, the address of the photographer, the date when the photograph was taken and a statement that the photograph is a true picture of the applicant taken within 90 days of the application shall be placed on the back of the photograph;
 - (3) An affidavit from an approved college of podiatry stating the dates of attendance at the college, and the date of graduation, over the seal of the college;
 - (4) A certified copy of the podiatry college diploma;
 - (5) A transcript from the podiatry school;
 - (6) A written oath of applicant that all statements are strictly true in every respect; and
 - (7) The appropriate fee
- (b) A certificate of endorsements from another state or country shall include grades in subjects required by K.S.A. 65-2004, as certified by a board of examiners of that state or country.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2004, K.S.A. 1983 Supp. 65-2003; effective May 1, 1980; amended May 1, 1984.)

100-49-4. Fees.

The following fees shall be collected by the board:

- (a) Application for license\$300.00
- (b) Examination\$450.00
- (c) (1) Annual renewal of active or federally active license:
 - (A) Paper renewal\$330.00
 - (B) On-line renewal\$320.00
- (2) Annual renewal of inactive license:
 - (A) Paper renewal\$150.00
 - (B) On-line renewal\$150.00
- (2) Annual renewal of exempt license:
 - (A) Paper renewal\$150.00
 - (B) On-line renewal\$150.00

(d) (1) Conversion from exempt to active license	\$175.00
(2) Conversion from inactive to active license	\$175.00
(e) (1) Late renewal of active or federally active license:	
(A) Paper late renewal	\$350.00
(B) On-line late renewal	\$339.00
(2) Late renewal of inactive license:	
(A) Paper late renewal	\$175.00
(B) On-line late renewal	\$165.00
(2) Late renewal of exempt license:	
(A) Paper late renewal	\$175.00
(B) On-line late renewal	\$165.00
(f) Temporary license	\$50.00
(g) Duplicate license	\$15.00
(h) Temporary permit	\$50.00
(i) Certified statement of license	\$15.00
(j) Postgraduate permit	\$50.00
(k) Reinstatement of revoked license	\$1,000.00
(l) Reinstatement of canceled license	\$300.00
(m) Written verification of license or permit.....	\$25.00

(Authorized by K.S.A. 2009 Supp. 65-2012 and K.S.A. 65-2013; implementing K.S.A. 2009 Supp. 65-2012; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended April 24, 1989; amended Aug. 21, 1989; amended, T-100-12-28-89, Dec. 28, 1989; amended April 9, 1990; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002; amended Nov. 15, 2002; amended Aug. 13, 2004; amended Aug. 17, 2007; amended, T-100-6-2-09, June 2, 2009; amended Sept. 11, 2009; amended May 21, 2010.)

100-49-5. Expiration of license.

Each license to practice podiatry issued by the board shall expire on September 30 of each year.

(Authorized by and implementing K.S.A. 65-2005; effective, T-100-7-1-92, July 1, 1992; effective Aug. 17, 1992; amended Aug. 1, 1997.)

100-49-6. Education requirements.

- (a) Each applicant for a license to practice podiatry shall provide proof of successful completion of a minimum of one year in an approved podiatric residency program. An approved podiatric residency program shall be a program that meets the requirements of or is substantially equivalent to CPME 320, “standards, requirements and guidelines for approval of residencies in podiatric medicine,” approved by the council on podiatric medical education, effective July 1, 2002, and hereby adopted by reference.
- (b) Each applicant who does not meet the requirements of subsection (a) shall be deemed to have completed acceptable postgraduate training if the applicant meets one of the following:

- (1) The applicant has been in the continuous practice of podiatry for a minimum of 10 years before the date of submission of the application.
- (2) The applicant is currently certified by a specialty board meeting the requirements of CPME 220, “criteria and guidelines for recognition of a specialty board for podiatric medical practice,” effective January 1, 2001, approved by the council on podiatric medical education, and hereby adopted by reference.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2003; effective Jan. 10, 2003.)

100-49-7. Examinations.

- (a) Each applicant for licensure as a podiatrist shall submit proof of having passed a nationally administered, standardized examination that is approved by the board and consists of written questions assessing knowledge on subject matter from the following content areas:
 - (1) Medicine, including podiatric and non-podiatric dermatology, podiatric vascular medicine, podiatric neurology, immunology, emergency medicine, cardiovascular medicine, neurology, respiratory medicine, metabolic and endocrine medicine, hematology, behavioral medicine, and rheumatology;
 - (2) orthopedics, biomechanics, and sports medicine;
 - (3) surgery, general anesthesia, regional anesthesia, intravenous sedation, and hospital protocol; and
 - (4) radiology.
- (b) In order to qualify as board-approved, part III of PMLexis, as administered by the national board of podiatric medical examiners, shall meet the standards for an examination established by the board in this regulation.
- (c) To pass the approved examination, each applicant for licensure shall obtain a criterion-referenced score of at least 75.
- (d) Each applicant for licensure by endorsement shall show proof of successful completion of any examinations that met the Kansas requirements for licensure by examination at the time the applicant completed the examinations.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2003 and K.S.A. 65-2004; effective Jan. 10, 2003.)

100-49-8. Continuing education.

- (a) Every three years, each podiatrist shall submit, before or with the application for renewal, evidence of having completed a minimum of 54 hours of continuing education during the preceding three-year period.
- (b) Any podiatrist who suffered an illness or injury that made it impossible or extremely difficult to reasonably obtain the required hours may be granted an extension of not more than six months.
- (c) Continuing education shall be acquired from any of the following:
 - (1) Courses offered by sponsors of continuing education in podiatric medicine and meeting the requirements of CPME 720, “standards, requirements, and guidelines for approval of sponsors of continuing education in podiatric medicine,” revised May 1999 by the council on podiatric medical education and hereby adopted by reference;
 - (2) courses and instructional media approved for category I by the American medical association;
 - (3) courses and instructional media approved for category I by the American osteopathic association; or
 - (4) other courses approved by the board.
- (d) Each applicant desiring to reinstate a license that has been canceled for failure to renew and each exempt licensee desiring to apply for a license to regularly engage in the practice of podiatry shall submit proof of continuing education to the board as follows:
 - (1) If the time since the license was canceled or exempt has been one year or less, no continuing education in addition to that which would have been necessary had the license been renewed before cancellation or not exempt shall be required.
 - (2) If the time since the license was canceled or exempt has been more than one year, the applicant shall complete a program of continuing education recommended by the board.
- (e) If, since the date the license was canceled or exempt, the applicant has been in active practice as a podiatrist in another state or jurisdiction, the applicant shall submit proof of the current license and proof of compliance with the continuing education requirements of that jurisdiction.
- (f) Each applicant seeking reinstatement of a revoked license shall successfully complete an individually tailored program approved by the board.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2010; effective Jan. 10, 2003.)

100-49-9. Additional requirements.

In addition to meeting the requirements of this article, each podiatrist shall also meet the requirements of each of the following:

- (a) K.A.R. 100-10a-1;
- (b) K.A.R. 100-10a-2;
- (c) K.A.R. 100-10a-3;
- (d) K.A.R. 100-10a-4;
- (e) K.A.R. 100-10a-6;
- (f) K.A.R. 100-21-1;
- (g) K.A.R. 100-21-2;
- (h) K.A.R. 100-21-3;
- (i) K.A.R. 100-21-4;
- (j) K.A.R. 100-21-5;
- (k) K.A.R. 100-22-1;
- (l) K.A.R. 100-22-2;
- (m) K.A.R. 100-22-3;
- (n) K.A.R. 100-24-1;
- (o) K.A.R. 100-24-2;
- (p) K.A.R. 100-24-3; and
- (q) K.A.R. 100-26-1.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 2001 Supp. 65-2002, K.S.A. 65-2005, K.S.A. 2001 Supp. 65-2006; effective Jan. 10, 2003.)

100-49-10. Definition of human foot.

As utilized in the podiatry act, K.S.A. 65-2001 through 65-2013 and amendments thereto, “human foot” shall mean that part of the human anatomy that consists of the tarsus, metatarsus, phalanges, cartilage, muscles, tendons, ligaments, skin, vasculature, and the other tissues distal to and including the articulating cartilaginous surfaces of the ankle joint.

(Authorized by K.S.A. 65-2013; implementing K.S.A. 65-2001, K.S.A. 65-2002, K.S.A. 65-2004, and K.S.A. 2006 Supp. 65-2005; effective Sept. 14, 2007.)