

MEDICAL SOCIETY of the STATE OF NEW YORK

Elizabeth Dears, Esq.

Senior Vice President /
Chief Legislative Counsel

Division of Governmental Affairs
MEMORANDUM IN OPPOSITION

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A.719 (PRETLOW)

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S.4600 (LIBOUS)

**AN ACT to amend the education law, in
relation to making technical changes to the
podiatric scope of practice**

This measure would amend compromise legislation from 2012 by ostensibly making “technical” changes in the legislation enacted in 2012. However, these technical changes are actually substantive language, which was discussed and rejected during last year’s negotiated compromise. **The Medical Society of the State of New York opposes this bill.**

Among the changes being proposed for the scope of practice of podiatrists is allowing all podiatrists, not only those who have been issued the ability to perform standard or advanced ankle surgery, to “diagnose, treat, operate or prescribe for cutaneous conditions of the ankle to the level of the distal tibial tuberosity” (knee). The bill further states that the treatment does not have to be for a wound that is “contiguous with”, but only has to be “related to” a condition of the foot or ankle below the knee. This authorization extends to all care related to any wound on the leg including cancer, trauma wounds, plastic surgery procedures, ulcers (diabetic or otherwise) and potentially other types of wounds.

This bill would remove the requirement that a podiatrist seeking either standard ankle surgery or advanced ankle surgery privileges be “directly supervised” by a podiatrist with an advanced license from New York State or a physician and would replace it with only a “supervision” requirement. This lower standard does not require onsite oversight and in no way ensures that the trainee is either learning the techniques needed for advanced licensure or obtaining competence in the advanced procedures. Removing this requirement for direct supervision essentially allows podiatrists to train themselves and practice on their own. This does not ensure competence or knowledge.

This is a definite expansion of the scope of practice of podiatrists, not just making “technical changes” in a bill that was negotiated in good faith on the part of medicine and passed just last year.

For these reasons, **the Medical Society of the State of new York opposes this bill and urges that it be defeated.**

Respectfully submitted,

6/9/15 – Oppose
BKE

ELIZABETH DEARS, ESQ.