ALABAMA STATE BOARD OF PODIATRY
ADMINISTRATIVE CODE

CHAPTER 730-X-3
CERTIFICATE OF QUALIFICATION

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730-X-3-.01 Application For License To Practice Podiatry: Certification By Examination.

The Board may issue a license to practice podiatry to applicants who possess the following qualifications:

(a) At least twenty-one (21) years of age or over and of good moral character;

(b) Diploma showing graduation from a college of podiatry recognized by the American Podiatric Medical Association, together with record transcripts from the college of podiatry from which he or she graduated;

(c) Must have completed a podiatric residency or preceptorship program approved by the American Podiatric Medical Association or otherwise approved by the Board;

(d) Two written statements as to character from two currently licensed podiatrists;

(e) Notarized application and examination fees as prescribed by the Board;

(f) Diplomate Certificate of National Board of Podiatry Examiners showing successful completion by the applicant of all parts of the National Board of Podiatry Examiners, together with transcripts of all parts of the applicant's National Board Examinations.

(g) Successful completion of such examination as shall be prescribed by the Board in the areas of practical, theoretical and physiological podiatry, in the anatomy and physiology of the human foot, and in pathology as applied to podiatry. The examination will be offered twice a year in the months of June and December. An unsuccessful examinee may take a second examination at the next scheduled examination date.

(h) Successful completion of an examination that tests the applicant's knowledge of the Podiatry Practice Act and the rules and regulations of the Board.

Author: E. Terry Brown, Copeland, Franco, Screws & Gill, P.A.
Statutory Authority: Code of Ala. 1975, §§34-24-255, 34-24-257.
History: Filed February 1, 1985. **Amended:** Filed October 15, 1993; effective November 26, 1993. **Amended:** Filed October 24, 2007; effective November 28, 2007. **Amended:** Filed October 20, 2008; effective November 24, 2008.

730-X-3-.02 Application For Examination.

An application for a license to practice podiatry may be obtained from the Alabama State Board of Podiatry, 610 South McDonough Street, Montgomery, Alabama, 36104.

Author:
Statutory Authority: Code of Ala. 1975, §34-24-255.
History: Filed February 1, 1985. **Amended:** Filed May 21, 2007; effective June 25, 2007.

730-X-3-.03 Application For License To Practice Podiatry: Certification By Reciprocity.

(1) The commission of any of the acts specified in Code of Ala. 1975, §34-24-276, (as that statute presently exists or may be amended) by an applicant may be grounds for denial, within the discretion of the Board, of an application for license to practice podiatry by reciprocity.

(2) The Board may issue a license by reciprocity to practice podiatry to applicants who possess the following qualifications:

(a) At least twenty-one (21) years of age or over and of good moral character;

(b) Graduate from a college of Podiatry accredited by the American Podiatric Medical Association located in the United States (the fifty states and the District of Columbia) shall be deemed to be U.S. Podiatric graduate and shall meet the following requirements:

(c) Must have completed a podiatric residency or preceptorship program approved by the American Podiatric Medical Association or otherwise approved by the Board;

(d) Examination and/or certification by one of the following:

1. Applicants must present a certified statement from the Board of Podiatry or like board of the state or territory from which he or she removes, over the age of twenty-one (21) years, is a legal and ethical podiatrist of good moral character and that he or she has been examined and licensed by the board of such state or territory, and provided that the board of such state or territory recognizes in like manner a license issued by the Alabama State Board of Podiatry when presented to such other board by a legal practitioner of this state who may wish to remove to and practice in such state or territory; or

2. Examination as presented by part 730-X-3-.01(1).

(3) The Board may, within its discretion, require that an applicant attend a personal interview with the credentials committee of the Board or, at its discretion, a representative of the Board in the following circumstances:

(a) when the applicant's answer to any question on the application is incomplete or requires additional explanation;

(b) when the Board is in receipt of any information from any source concerning the applicant that would require additional information or explanation;

(c) when it appears that the applicant may have committed any of the acts constituting grounds for revocation of a license as stated in Code of Ala. 1975, §34-24-276.

(4) The applicant shall submit written statements as to character from each of the following:

(a) A podiatrist licensed to practice podiatry in Alabama.

(b) Another podiatrist.

(c) A podiatrist or layman.

(5) The applicant shall submit the application fee as prescribed by the Board.

(6) The applicant shall submit a completed and notarized application with proper required certification.

(7) Successful applicants must within twelve (12) months, unless otherwise allowed by the Board, relocate his office to this state for the full-time practice of podiatry. Failure to do so will result in the suspension of his license.
Author:
Statutory Authority: Code of Ala. 1975, §§34-24-255, 34-24-271, 34-24-276.
History: Filed February 1, 1985. **Amended:** Filed October 24, 2007; effective November 28, 2007.

730-X-3-.04 Application For Reciprocity.

An example of the application for a license to practice podiatry may be obtained the Alabama State Board of Podiatry, 610 South McDonough Street, Montgomery, Alabama 36104.
Author:
Statutory Authority: Code of Ala. 1975, §34-24-271.
History: Filed February 1, 1985. **Amended:** Filed May 21, 2007; effective June 25, 2007.

730-X-3-.05 Outgoing Reciprocity (Repealed).

(Repealed)
Author: E. Terry Brown, Copeland, Franco, Screws & Gill, P.A.
Statutory Authority: Code of Ala. 1975, §34-24-272.
History: Filed February 1, 1985. **Repealed:** Filed May 14, 2001; effective June 18, 2001.

730-X-3-.06 Renewal Of License To Practice Podiatry.

(1) Licensed Podiatrists shall apply to the Board to renew their license by October 1 of each year provided that said license may be renewed within thirty (30) days of October 1. After October 31, renewal will be approved upon payment of the renewal fee and penalty prescribed by law. Failure to renew by November 1 of each year may, after notice and an opportunity to be heard, render said license non-valid and may subject the holder to the statutory penalties of Code of Ala. 1975, §34-24-270, should he continue to practice podiatry under said non-valid license.

(2) As a pre-condition to renewal, all licensed podiatrists shall submit at the time of renewal evidence of successful completion of any American Podiatric Medical Program approved course of study of not less than twelve (12) hours or not less than twelve (12) hours of study approved by the Board. Failure to submit such evidence may, after notice and an opportunity to be heard, render said license non-valid. If the licensee fails to provide proof of compliance with this rule by November 1 of each year, the licensee shall pay the penalty of $300 set out in Code of Ala. 1975, §34-24-275.

(3) As a precondition to renewal each licensed podiatrist shall submit to the board, at the time of renewal, an update of his/her credentials including accomplishments such as board certification and professional affiliations.

(4) Every licensed podiatrist shall, within 90 days of a change in his/her address, notify the board of his/her new address.
Author: E. Terry Brown, Copeland, Franco, Screws & Gill, P.A.
Statutory Authority: Code of Ala. 1975, §34-24-270.
History: Filed February 1, 1985. **Amended:** Filed February 11, 1994; effective March 18, 1994. **Amended:** Filed March 8, 1995; effective April 12, 1995. **Amended:** Filed May 14, 2001; effective June 18, 2001

730-X-3-.07 Appeal From Denial Of Application For License.

An applicant may request a hearing before the Board of any decision of the Board denying an application for a license to practice podiatry. The procedure for such a request shall be governed by Rule 730-X-4-.04(11).
Author: E. Terry Brown
Statutory Authority: Code of Ala. 1975, §34-24-275.
History: Filed February 1, 1985.

730-X-3-.08 Controlled Substances.

(1) It shall be necessary for all licensed podiatrists who dispense, administer, prescribe, maintain or otherwise have in their possession-controlled substances to annually register with the Alabama State Board of Podiatry and obtain a controlled substance number from said Board.

(2) This controlled substance number as well as the Federal Bureau of Narcotics and Dangerous Drug number must appear on prescription blanks.

(3) Registration under this rule will be due at the same time as the annual license registration to practice podiatry.

(4) The fee for registration and the controlled substance number shall be in an amount to be fixed by the Board.

(5) Any licensed podiatrist dispensing, administering, prescribing, maintaining, or possessing controlled substances who has not registered or obtained a controlled substance number from the Alabama State Board of Podiatry will be deemed in violation of the Uniform Controlled Substances Act and Code of Ala. 1975, §34-24-276.
Author: Copeland, Franco, Screws & Gill, P.A.
Statutory Authority: Code of Ala. 1975, §§34-24-252, 34-24-276, as amended by Alabama Act 87-588; §§20-2-1, et seq.
History: Filed May 18, 1988.

730-X-3-.09 Maintenance Of Controlled Substances Records And Inventory.

(1) Beginning on October 1, 1988, every podiatrist certified to dispense controlled substances by the Alabama State Board of Podiatry shall be required to maintain an accurate inventory and separate dispensing record of all controlled substances in Schedules II and III dispensed in their offices. The inventory shall account for all controlled substances obtained by the office or the podiatrist.

(2) The dispensing record shall contain the following information:

(a) The date the controlled substance was dispensed;

(b) The method by which the controlled substance was dispensed (i.e., administered in office or released to patient);

(c) The name of the controlled substance dispensed, trade name or generic name;

(d) The name of the patient to whom the controlled substance was dispensed;

(e) The quantity of the controlled substance dispensed.

(3) The inventory and separate dispensing record required by this rule shall be kept in the office of the podiatrist for a period of five (5) years from the date the controlled substances are dispensed and shall be made available for inspection by agents of the Alabama State Board of Podiatry or any law enforcement agency.

(4) Failure to maintain and make available the inventory and separate dispensing record required by this rule shall be considered a failure to maintain effective controls against diversion of controlled substances to other than legitimate

podiatric channels and will also be considered a violation of Code of Ala. 1975, §34-24-276.

(5) The dispensing record shall be in the form set out in Appendix A to Chapter 9.
Author: Copeland, Franco, Screws & Gill, P.A.
Statutory Authority: Code of Ala. 1975, §§34-24-252, 34-24-276, as amended by Alabama Act 87-588; §§20-2-1, et seq.
History: Filed May 18, 1988. **Amended:** Filed October 15, 1993; effective November 26, 1993. **Amended:** Filed March 8, 1995; effective April 12, 1995.

730-X-3-.10 Fees.

Applicants for licensure or licensees of the Board shall pay the following fees:

(1) Application fee $100.00.

(2) State examination and re-examination fee $100.00.

(3) License Renewal fee $500.00.

(4) Controlled Substance Initial and Renewal fee $50.00.

(5) Late License Renewal fee $300.00.
Author: Randolph P. Reaves, P.C. Statutory History: Code of Ala. 1975, §34-24-255.
Statutory Authority:
History: Code of Ala. 1975, §34-24-255. **New Rule:** Filed October 15, 1993; effective November 26, 1993. **Amended:** Filed May 14, 2001; effective June 18, 2001. **Amended:** Filed November 1, 2005; effective December 6, 2005. **Amended:** Filed May 21, 2007; effective June 25, 2007. **Amended:** Filed October 23, 2017; effective December 7, 2017. **Amended:** Published November 30, 2022; effective January 14, 2023.

730-X-3-.11 Podiatry Records Required; Release Of Records.

(1) The Board finds and declares that the maintenance of an adequate record in the treatment of a patient is an essential component of the standard of care. Podiatrists should maintain legible well documented records reflecting the history, findings, diagnosis and course of treatment in the care of a patient. Patient records should be maintained by the treating podiatrist. Any podiatrist who fails to keep for a minimum of five (5) years all written podiatric records which justify the particular course of treatment of the patient engages in unprofessional conduct as defined in Code of Ala. 1975, §34-24-276(a)(2).

(2) The Board finds and declares that, while physical podiatric records may rightfully be considered the property of the licensee or the podiatry clinic facility where the licensee may be employed, the podiatric patient is just as rightfully entitled to the information contained in any podiatric records related to his or her care for any legitimate purposes, which such legitimate purposes certainly includes the obtaining of second podiatric or medical opinions.

(a) Upon request of a patient or authorized agent of a patient, podiatrists are required to, at a minimum, turn over to a patient or his or her authorized agent legible and accurate copies of any pertinent podiatric records of the patient when requested to do so by the patient or his or her authorized agent for a legitimate purpose which is stated in writing and signed by the patient. The reasonable costs of reproducing copies of written or typed documents, or reports shall not be more than one dollar ($1) for each page of the first 25 pages, not more than 50 cents ($.50) for each page in excess of 25 pages, and search fee of five dollars ($5). If the records are mailed to the person making the request, reasonable costs shall include the actual costs of mailing. A person may also charge the actual cost of reproducing X-rays, photographic images or digital images and other special podiatric records.

(b) The release of podiatric records hereunder may not be made contingent upon payment of any other fee or charge owed by the patient. Failure to provide records to a patient upon request in accordance with this rule shall constitute immoral or unprofessional conduct as defined in Code of Ala. 1975, §34-24-276(a)(2).

(c) The fees provisions of this rule shall not apply to records subpoenaed by the Alabama State Board of Podiatry.

(3) Request for records from another healthcare practitioner or the Alabama State Board of Podiatry must be released within 10 working/business days.

(4) Upon receipt of a properly signed and executed release from the patient, the podiatrist, at his/her discretion, may release the original or a copy of x-ray film and a copy of the patient records, etc. to the patient or their authorized agent.

(5) If the Board receives a complaint against a podiatrist that the podiatrist will not release the records to a patient at the patient's request, a letter from the Board will be sent via certified mail to the podiatrist directing him/her to release the records to the patient within 10 days of receipt of the certified letter. The podiatrist must submit proof to the Board that the records have been mailed to the patient (via certified mail) within 10 days, as well. If the podiatrist cannot submit to the

Board proof of the mailing of the records, then the podiatrist must inform the Board as to why the records cannot/will not be mailed within 10 days of receipt of the certified letter from the Board.

(6) If the Board has not received proof that the records have been released to the patient, or has not received a response from the licensee/permit holder within 15 days of the date the request was mailed from the Board's office, the podiatrist will be subject to discipline for unprofessional conduct.

(7) Transfer or Disposal of Records. When a podiatrist retires, terminates employment or otherwise leaves a practice, the podiatrist is responsible for ensuring that active patients receive reasonable notification and are given the opportunity to arrange for the transfer of their patient records. Such notification shall be provided no later than 30 days after retirement, termination or any other reason for leaving. A podiatrist or the podiatric clinic which employs the podiatrist should not withhold information from a departing podiatrist which is necessary for the notification of patients. A podiatrist or their estate(s) transferring patient records in connection with the sale of a practice shall notify the active patients no more than 30 days preceding the sale that the records are being transferred and should provide the patient with information sufficient to secure the transfer of the patient record.
Author: Hendon B. Coody
Statutory Authority: Code of Ala. 1975, §34-24-252.
History: New Rule: Filed April 22, 2015; effective May 27, 2015.

730-X-3-.12 Risk And Abuse Mitigation Strategies By Prescribing Podiatrists.

(1) The Board recognizes that the best available research demonstrates that the risk of adverse events occurring in the patients who use controlled substances to treat pain increase as dosage increases. The Board adopts the "Morphine Milligram Equivalency" ("MME") daily standard as set out by the Centers for Disease Control and Prevention ("CDC") for calculating the morphine equivalence of opioid dosages.

(2) It is the opinion of the Board that the best practice when prescribing controlled substances for the treatment of pain shall include medically appropriate risk and abuse mitigation strategies, which will vary from patient to patient. Examples of risk and abuse mitigation strategies include, but are not limited to:

(a) Pill counts;

(b) PDMP checks;

(c) Monitoring the patient for aberrant behavior;

(d) Providing a patient with opiate risk education prior to prescribing controlled substances;

(e) Using validated risk-assessment tools, examples of which shall be maintained by the Board.

(3) For the purpose of preventing controlled substance diversion, abuse, misuse, addiction, and doctor-shopping, the Board sets forth the following requirements for the use of Alabama's Prescription Drug Monitoring Program (PDMP):

(a) For the controlled substance prescriptions totaling 30 MME or less per day, podiatrists are expected to use the PDMP in the manner consistent with good clinical practice.

(b) When prescribing a patient, controlled substances of more than 30 MME per day, podiatrists shall review that patient's prescribing history through the PDMP at least two (2) times per year, and each podiatrist is responsible for documenting the use of risk and abuse mitigation strategies in the patient's medical record.

(c) Podiatrists shall query the PDMP to review a patient's prescribing history every time a prescription for more than 90 MME per day is written, on the same day the prescription is written.

(4) Due to the heighted risk of adverse events associated with the concurrent use of opioids and benzodiazepines, podiatrists should reconsider a patient's existing benzodiazepines prescriptions or decline to add one when prescribing an opioid and consider alternative forms of treatment.

(5) The Board recognizes that all controlled substances, including but not limited to, opiates, benzodiazepines, stimulants, anticonvulsants, and sedative hypnotics have a risk of addiction, misuse, and diversion. Podiatrists are expected to use risk and abuse mitigation strategies when prescribing any controlled substance. Additional care should be used by the podiatrist when prescribing a patient medication from multiple controlled substance drug classes.

(6) A violation of this rule is grounds for the suspension, restriction, or revocation of a podiatrist's Alabama Controlled Substance Certificate or license to practice podiatry.
Author: Alabama State Board of Podiatry
Statutory Authority: Code of Ala. 1975, §§34-24-252, 20-2-54.1, 20-2-214(2).
History: **New Rule:** Published April 30, 2020; effective June 14, 2020.

730-X-3-.13 Application For Spouses Of Active Duty Military Personnel.

(1) Per the Military Family Jobs Opportunity Act (Act 2018-540), An applicant shall be issued a license, pending approval, if the requirements of the original issuing state or governing body are substantially equivalent to that required by the Board.

(2) Per the Military Family Jobs Opportunity Act (Act 2018-540, If an applicant is approved for licensure, the board will waive the initial licensing fee.

Author: Alabama State Board of Podiatry
Statutory Authority: Code of Ala. 1975, §34-24-252.
History: New Rule: Published November 30, 2022; effective January 14, 2023.