

By: Representative Robertson

To: Public Health and Welfare

HOUSE BILL NO. 1049

1 AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE DEFINITION OF THE PRACTICE OF PODIATRIC MEDICINE; AND
3 FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 73-27-1, Mississippi Code of 1972, is
6 amended as follows:

7 73-27-1. (1) The practice of podiatric medicine is that
8 profession concerned with the examination, diagnosis or medical,
9 mechanical or surgical treatment of the ailments of the human
10 foot, ankle and soft tissue structures extending no higher than
11 the distal tibial metaphyseal flair, including the use and
12 prescribing of drugs and medications, but excluding the direct
13 applications of general anesthesia by a podiatrist and the
14 amputation of the foot. The practice of podiatric medicine
15 include the procedures described in subsection (4) of this
16 section.

17 (2) A podiatrist is a medical care provider who engages in
18 the practice of podiatric medicine.

19 (3) A podiatrist may prescribe and administer drugs and
20 tests, excluding general and spinal anesthesia, that are essential
21 to the practice of podiatric medicine when used for or in
22 connection with treatment of disorders of the human foot.

23 (4) (a) A podiatrist may perform Achilles tendon repair,
24 subject to the provisions of paragraph (b) of this subsection, but
25 may not perform surgery on Pilon fractures or tibial fractures
26 that do not enter the ankle joint.



27 (b) A podiatrist may perform ankle surgery only if that
28 podiatrist meets the requirements of either subparagraph (i) or
29 (ii):

30 (i) The podiatrist was, before July 1, 2003,
31 credentialed to perform ankle surgery by a hospital accredited by
32 the Joint Commission on Accreditation of Healthcare Organizations
33 (JCAHO) or by a JCAHO-accredited ambulatory surgical facility;
34 however, a podiatrist who qualifies to perform ankle surgery under
35 this subparagraph (i) must obtain certification to perform
36 reconstructive rearfoot/ankle surgery from the American Board of
37 Podiatric Surgery by December 31, 2005, and may not continue to
38 perform ankle surgery if that podiatrist has not obtained
39 certification by that date; or

40 (ii) The podiatrist has completed a surgical
41 residency program at least twenty-four (24) months in length that
42 has been approved by the Council on Podiatric Medical Education
43 and is currently eligible for certification to perform
44 reconstructive rearfoot/ankle surgery by the American Board of
45 Podiatric Surgery; however, a podiatrist who qualifies to perform
46 ankle surgery under this subparagraph (ii) must obtain
47 certification to perform reconstructive rearfoot/ankle surgery
48 from the American Board of Podiatric Surgery before July 1, 2008,
49 or within six (6) years of first becoming eligible for
50 certification, whichever date is later, and may not continue to
51 perform ankle surgery if that podiatrist has not obtained
52 certification by the end of the six-year period.

53 (c) A podiatrist may perform ankle surgery only in a
54 JCAHO-accredited hospital licensed under Section 41-9-1 et seq. or
55 a JCAHO-accredited ambulatory surgical facility licensed under
56 Section 41-75-1 set seq. at which the podiatrist has surgical
57 privileges to perform ankle surgery. A podiatrist who performs
58 ankle surgery in an ambulatory surgical facility must first have
59 surgical privileges to perform ankle surgery at a local hospital.



60 A podiatrist who performs ankle surgery must meet the same
61 standard of care applicable to orthopedic surgeons who perform
62 ankle surgery.

63 (d) A podiatrist may perform non-surgical care on the
64 ankle without meeting the requirements of paragraph (b) of this
65 subsection.

66 **SECTION 2.** This act shall take effect and be in force from
67 and after July 1, 2003.

