



Joe Lombardo
Governor

Nevada State Board of Podiatry

1325 Airmotive Way, Suite 175-I • Reno, Nevada 89502 • podiatry.nv.gov • Phone 775-789-2605

March 27, 2023

Ms. Brenda Erdoes, Director of LCB
Legislative Counsel Bureau
401 South Carson Street
Carson City, Nevada 89701-4747

Dear Director Erdoes:

Per Executive Order 2023-004 you are suppose to get a copy of the enclosed documents.

Please contact me at (775) 789-2605 or nvpodiatry@bop.nv.gov if you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "CJ Cramer", is written over the typed name.

Carolyn J. Cramer
Executive Director

Enclosures



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March 27, 2023

The Honorable Joe Lombardo
Office of the Governor of Nevada
555 East Washington Ave., Ste 5100
Las Vegas, Nevada 89101

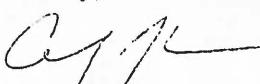
Re: EO 2023-004

Dear Governor Lombardo:

Per your request, please find a copy of the narrative report for EO 2023-004 that was approved by the Nevada Board of Podiatry on March 6, 2023 at its' Board meeting and a copy of the spreadsheet that was requested by Dylan Tedford of your office.

Please contact me at (775) 789-2605 or nvpodiatry@bop.nv.gov if you require any additional information.

Sincerely,


Carolyn J. Cramer
Executive Director

Enclosures

Pursuant to Executive Orders 2023-004 issued by Governor Lombardo on January 12, 2023, the Nevada State Board of Podiatry (the Board) submits its report pursuant to EO 2023-004.

Based upon its review of EO 2023-004, the Board offers the following in compliance with EO 2023-004.

Section One of Executive Order 2023-004

The Nevada Board of Podiatry has no regulations presently under consideration and acknowledges that no such regulations are to be considered pursuant to Executive Order 2023-004.

Section Two of Executive Order 2023-004

Section Two, Section One- The Nevada State Board of Podiatry has three categories of licensure: (1) podiatric physician; (2) limited license podiatric physician; and (3) podiatric hygienist. At present, there are 152 licensed podiatric physicians, 1 limited license podiatric physicians, and 56 licensed podiatric hygienists. Podiatric physicians are primary health care providers with a scope of practice that treats patients from the feet, ankles, and the leg. Podiatric physicians perform important surgeries, foot care, wound care, diabetic and neurology care, custom orthotics, and other services to keep Nevadans on their feet. Podiatry hygienists are physician extenders necessary to the provision of podiatric care. As directed and supervised by their employing podiatric physicians, podiatry hygienists can take x-rays, provide treatment, and otherwise assist podiatric physicians, thus allowing podiatric physicians to focus their care on the judgment and treatments especially within their scope of practice while allowing more routine procedures and treatments to be provided by podiatry hygienists.

Regarding the licensure of podiatric physicians and limited license podiatric physicians, Nevada has an application fee of \$600. A podiatric physician applicant must take and pass a national examination and the charge for this test is not set by the Nevada State Board of Podiatry. The limited license podiatric physician has no testing requirement but the same application fee.

The podiatry hygienist application fee is \$100. There is no testing requirement for the podiatry hygienist this is six months of on-the-job training.

All initial applicants are subject to a criminal background check via fingerprinting, and that fee is established by the Department of Public Safety not the Nevada Board of Podiatry. Initial application fees and annual renewal fees are the only revenue sources available to the Nevada State Board of Podiatry. The application fees were set in the 1970s so the Board could cover its operating costs. The fees have not been increased since that time. The Board has no information on the costs of the national exam or the fingerprint fees charged by the Department of Public Safety.

Section Two, Section Two- Podiatric Physicians are licensed in all fifty states. Many states have limited license podiatric physicians (often referred to by different titles). Nationally, podiatric physicians use physician extenders such as podiatry hygienists, though they are called different titles throughout the United States. Because of the differences between states, it is difficult to determine how many states have a license similar to Nevada's podiatric hygienists.

Section Two, Section Three - Board staff could issue a license within days of receiving a complete application, but Nevada statutes require a criminal background check before licensure which adds about two months to the licensing process. Because Nevada does not have a school of podiatry, all of our podiatric physician applicants come from out of state, so it is often difficult for them to find an out-of-state agency or company that will take their fingerprints for use in another state. Many applicants delay the fingerprint requirement and come to Nevada for interviews and complete the Livescan process while in Nevada and then wait for those results, which takes months to obtain. The fingerprint process has become a protracted process and adds little to ascertain whether an applicant meets the standards for licensure. All podiatric physicians and podiatry hygienist have to meet the fingerprint requirement. Waiting for fingerprint results makes the licensing process – which could take only days or hours – drag into months.

Section Two, Section Four – Recently the American Podiatric Medicine Association (APMA) established a task force to explore whether it would be possible for podiatric physicians to join the Interstate Medical Licensing Compact (IMLC), the compact presently being used for reciprocity by medical doctors and osteopathic physicians, including by Nevada's medical doctors and osteopathic physicians. The IMLC rejected a proposal to add podiatric physicians to the compact. The APMA task force is now exploring whether a subgroup of the IMLC could be formed for podiatry using the technical abilities of the IMLC but having a separate national podiatry compact. This remains in the future. Licensure by reciprocity, verification, grandfathering, or endorsement are not widely used by states as each state has its own interpretation and understanding of what these licensing concepts are. A close examination of any state's laws has to be undertaken when trying to essentially adopt another states' statutory licensing scheme into Nevada. Some states do not require the national exam, some states do not require APMA school graduation, and some states do not require residency. Additionally, many of the larger states that have the most licensees and podiatry schools, like our neighbor to the west, do not allow reciprocity at all. Large states with lots of licensees have nothing to gain by offering reciprocity to their licensees or smaller states who are in desperate need of their services. In other words, large states want to continue to keep their licensees to themselves.

Section Three - The Nevada State Board of Podiatry **does not recommend** that the limited license podiatric physician or podiatry hygienist licenses be phased out because Nevada needs every licensee in its podiatric practices. A limited license podiatric physician may be the right fit for some practices. Additionally, the podiatric hygienist is the **only** podiatric physician extender that can take x-rays in the practice of the podiatric physician at the direction of the

podiatric physician. As long as the x-ray requirement under NRS chapter 653 (Radiation Therapy and Radiologic Imaging) exists, podiatric hygienists will need to be licensed by the Nevada State Board of Podiatry.

Because Executive Order 2023-004 requires a recommendation of how podiatric hygienist licensure could be removed, we must reluctantly inform the Governor that the only way such removal could occur would be through a bill passed by the Legislature and signed by the Governor that would remove all references to podiatric hygienists throughout the NRS. As just discussed, the Board believes that the removal of licensed podiatric hygienists would be detrimental to the patients served by Nevada's podiatric physicians since most podiatric practices are designed and built around the present ability to have some podiatric services provided by podiatric hygienists while podiatric physicians provide the care they are uniquely qualified to provide. Additionally, if the removal of licensure for podiatric hygienists is undertaken by the Governor, this will have the effect of removing 56 entry level but necessary positions from the medical work force of Nevada. It can also be anticipated that without their podiatric hygienists, many of Nevada's podiatric practices might find it difficult, if not impossible, to carry on, which will potentially lessen the already small number of Nevada's podiatrists. Literally nobody – not Nevada's podiatric patients, not Nevada's podiatric physicians, nor Nevada's podiatry hygienists who have served Nevadans ably for over 50 years - will benefit from the removal of podiatric hygienists.

Section Four- The Federation of Podiatry Medical Boards (FPMB) is dominated by large state members. Reciprocity is not a priority for them, but they are working toward a compact. The Nevada State Board of Podiatry staff has requested that the FPMB board consider a special meeting of small state podiatry board members so some of the licensing challenges maybe discussed in the future.

Question	Answer
Name of occupational or professional Licensing Board:	Nevada State Board of Podiatry
Address:	1325 Altimotive Way, Ste. 175-1
City:	Reno
Zip:	89502
Telephone:	775-789-2605
Director Name:	Carolyn J. Cramer
Director Email:	ncpodiatry@bop.nv.gov
Section 1: Has the above named occupational or professional licensing board suspended the creation of any new regulations that limit or otherwise impact the ability of persons to enter any occupation or profession in Nevada?	Yes

Section 2: Complete columns A-I below for each occupation or profession regulated by the Board.

List the Occupation or profession regulated by the Board (Name each occupation or profession on a separate line.)	List pertinent regulations pertaining to the entry into the occupation or profession	Provide the fees and other costs associated with the entry into the occupation or profession	Is an examination necessary for entry into the occupation or profession?	Are there any other requirements necessary for entry into the occupation or profession? (Please list, if any)	Provide the board's justification for the regulations, fees and other costs, examinations and other requirements necessary for entry into the occupation or profession	Do the majority of the states (26 or more) currently license the occupation or profession?	Identify any state compacts or any other pathways for licensure reciprocity that may exist regionally, nationally or internationally for the occupation or profession	Do the majority of states (26 or more) allow for license reciprocity for the occupation or profession?	Does Nevada currently participate in any reciprocity program for the occupation or profession?	If Nevada does not currently participate in any reciprocity program for the occupation or profession, provide a justification as to why	Provide any recommended revisions to the current regulatory construct that would expedite licensure for the occupation or profession	Section 3: A response in column M is required in any cell that has not been blacked out, which is based on your response in column [G].	Section 4: A response in column N is required in any cell that has not been blacked out, which is based on your response in columns [I] and [J].
Podiatric Physician	NRS 635.050; NRS 635.065; NRS 635.067; NAC 635.023; NAC 635.025;	Application fee \$600; DPS fingerprint fee \$40.25	Yes	Yes, good moral character; a D.P.M. degree from an APMA accredited school, the completion of a residency program approved by the Board; passing the NBPM; copies of official transcripts; letters of verification of privileges; verification of licensure from other states; background results from DPS	The application fee is for the processing of the application. The national examination, schooling, verifications, residency programs are standard for the profession and have been adopted by the Board in the 1970's.	Yes	Nevada only requires the completion of a one year APMA residency program, hospitals require a three or four year program. Are standards are lower than states offering reciprocity	No	No	Our standards are lower than other states so Nevada does not meet their requirements	Remove the fingerprint requirements		Provide a recommendation for implementing a program for reciprocity for the occupation or profession that is currently licensed in Nevada, where a majority of states (26 or more) allows for reciprocity, but Nevada does not currently participate in any reciprocity program for the occupation or profession [for any "Yes" answers in column [I] combined with any "No" answers in column [J]]
Limited license Podiatric Physician	NRS 635.075; NRS 635.067; NAC 635.023; NAC 635.025	Application fee \$600; DPS fingerprint fee \$40.25	No	Yes, good moral character; not less than 25 years of licensed podiatric physician in one or more states and was practicing during that period; was in good standing at all times, proof that there has been no disciplinary history; and the limited licensed podiatric physician will be under the direct supervision of a full licensed podiatric physician, a D.P.M. degree from an APMA accredited school, the completion of a residency program approved by the Board; copies of official transcripts; letters of verification of licensure from other states; background results from DPS	The application fee is for the processing of the application. The 25 years of practice was to allow podiatric physicians not to have to take the NBPM but still practice podiatry in Nevada, schooling, verifications, residency programs are standard for the profession and have been adopted by the Board in the 1970's.	No	No	No	No	Our standards are lower than other states so Nevada does not meet their requirements	Remove the fingerprint requirements	The Nevada State Board of Podiatry does not recommend removal; but if removal is required there Nevada State Board of Podiatry statutes and regulations would need to be amended.	
Podiatry Hygienist	NRS 635.093; NRS 635.067; NAC 635.023; NAC 635.025; NAC 635.032	Application fee \$100; DPS fingerprint fee \$40.25	No	Yes, good moral character; satisfactorily completed six months or more of training in the podiatric physician's office on activities outlined in NRS 635.098 and NAC 635.032; background results from DPS	Application fee	No	No	No	No	NRS 635.097 can only be performed in the office of the podiatric physician	Remove the fingerprint requirements		