

Jan 12, 2016

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## 249 CMR 2.00: General Provisions

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### 2.01: Purpose and Authority

Purpose. 249 CMR 2.00, et seq.-prescribe substantive standards governing the practice of podiatric medicine, such as criteria for medical necessity and documentation guidelines which will promote the public health, welfare and safety, and inform podiatrists of the Board's expectations and requirements. The Board presumes that every podiatrist in the Commonwealth has notice of 249 CMR and expects that he or she will practice podiatric medicine in accordance with them. ~~Any violation of 249 CMR may be considered gross misconduct, misconduct, malpractice, misconduct involving moral turpitude, and/or unprofessional conduct and will be sufficient grounds for revocation, suspension or cancellation of a certificate.~~

### 2.02: Definitions

For the purpose of 249 CMR, the terms listed below have the following meanings:

Adjudicatory Hearing means a hearing conducted in accordance with M.G.L. c. 30A and the 801 CMR 1.00: Standard Adjudicatory Rules of Practice and Procedure.

APMA means American Podiatric Medical Association.

Board means the Board of Registration in Podiatry, established by M.G.L. c. 13, § 12A.

CME means continuing medical education.

Health Care Facility means a hospital or other institution of the Commonwealth, or of a county or of a municipality within it, and a hospital or clinic duly licensed or approved by the Department of Public Health.

License means a certificate of registration which the Board issues to a person pursuant to the requirements of M.G.L. c. 112, § 16, and which authorizes the person to engage in the practice of podiatric medicine. There are three ~~four~~ categories of license: full, limited and temporary. A full license entitles a licensee to practice podiatric medicine as an independent practitioner free from

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specific limitations in his or her practice except as otherwise provided by law. Any other category of license limits a licensee's practice according to the provisions of M.G.L. c. 112, §§16A, 16B and 16C.

Practice of Podiatry means the following conduct: the maintenance of human podiatric health by the prevention, alleviation or cure of disorders, injuries or disease of the human foot and ankle by medical, mechanical, surgical, manipulative and electrical means, and the prescription and administration of drugs for the relief of disease or adverse physical podiatric conditions. The scope of practice of podiatry includes resections of the foot; as well as surgical procedures involving the ankle joint. In the course of treating the human foot or ankle, a registered podiatrist may perform an Achilles tendon lengthening and he or she may also perform tendon transfers that require incisions into the lower leg. The scope of practice of podiatry includes the diagnosis of systemic diseases.

#### 2.03: Availability of Forms

The Board will make available upon request any forms prepared in accordance with 249 CMR 2.00. Only those forms authorized by the Board shall be submitted. Forms approved and recommended by the Board for the documentation of podiatry services rendered will be made available to each licensee for use in documenting podiatry care.

#### 2.04: Computation of Time

Any period of time specified in 249 CMR 2.00 includes every calendar day, whether or not the office of the Board is open that day, except that, when the last day of the period falls on a day when the Board's office is closed, the period ends instead on the next day on which the office is open.

#### 2.05: Submission of Papers and Documents

~~If an individual submits both an original document and photocopy of it to the Board, the Board will return the original.~~ The Board will accept an affidavit in lieu of original documents only in extraordinary circumstances and only in the Board's discretion. A person who wishes to submit an original document or photocopy written in a foreign language must also submit a notarized translation into English of the documents or copy prepared by a translation service approved by the Board.

#### 2.06: Review of Regulations

The Board shall regularly review its regulations.

#### REGULATORY AUTHORITY

249 CMR 2.00: M.G.L. c. 112, §§ 16, 17A, 19 and 61 through 65.