

NEW YORK
STATE

Society of Dermatology and Dermatologic Surgery

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**Memo in Opposition
A.7108 (Pretlow)/S. 4935B (Libous)**

The NYS Society of Dermatology and Dermatologic Surgeons urges Members of the NYS Legislature to oppose A.7108 and S.4935-B. Contrary to the description of the bill contained in the title, the amendments of the education law proposed in this legislation are far from technical. Expanding medical and surgical privileges for all podiatrists (foot doctors) to include anatomy of the body all of the way up to the knee, lowering the certification requirements podiatrists need to obtain to perform ankle surgery or advanced ankle surgery, and changing training standards by deleting "direct supervision" will have a profound negative impact upon patient care.

During the 2012 Legislative Session, the Assembly and Senate passed legislation to change the scope of practice of podiatry to include standard ankle surgery and advanced ankle surgery when certain educational and training competencies were met. Last year's legislation was signed into law as Chapter 438 of the Laws of 2012 and, as provided in the legislation, will become effective on February 17, 2014. The New York State Department of Education, which is charged with licensing and oversight of podiatrists practicing in this state, will draft regulations implementing the provisions of the new law. Adopting A.7108 and S.4835-B during the 2013 legislative session would circumvent important provisions contained in the 2012 legislation by lowering the podiatric qualification threshold for education and training. A.7108 and S.4835-B propose allowing podiatrists with "foot surgery" or "foot and ankle surgery" certifications to obtain standard ankle surgery or advanced ankle surgery privileges. The 2012 bill that was passed, however, requires "reconstructive rearfoot and ankle surgery" certification.

The 2012 standard is the most rigorous certification that is currently available from a podiatric board. Authorizing a lesser standard will undermine patient quality and care.

Significantly, this measure would profoundly change podiatric practice by allowing podiatrists to medically and surgically treat cutaneous wounds on the leg below the level of the knee. This provision does not restrict treatment on the lower leg in any manner and presumably would include all skin conditions, without restriction. Wounds related to cancer, infections, trauma and all manner or origin would be within the domain of podiatric treatment. In this manner, podiatrists would be granted legislative authority to practice dermatology as well as other specialties including oncology, plastic surgery, surgery, internal medicine, family medicine and pediatrics.

For the reasons stated above and in the interest of sound healthcare, the New York State Society of Dermatology and Dermatologic Surgery urges you to defeat this proposal.

Respectfully submitted,