

2025 -- H 6088

LC002394

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PODIATRISTS

Introduced By: Representatives Boylan, Cotter, Fogarty, Hopkins, Stewart, Potter,
McGaw, Carson, Speakman, and Spears

Date Introduced: March 14, 2025

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-29-1 of the General Laws in Chapter 5-29 entitled "Podiatrists" is
2 hereby amended to read as follows:

3 **5-29-1. Definitions.**

4 (a) "Board" means the Rhode Island board of examiners in podiatry.

5 (b) "Certified foot care nurse" or "CFCN" means a registered nurse or nurse practitioner
6 who is certified and credentialed as a CFCN by the Wound Ostomy and Continence Nursing
7 Certification Board.

8 (c) "Certified foot care specialist" or "CFCS" means a nurse practitioner who is certified
9 and credentialed as a CFCS by the American Foot Care Nurses Association.

10 ~~(b)~~(d) "Department" means the Rhode Island department of health.

11 ~~(e)~~(e) "Director" means the director of the Rhode Island department of health.

12 ~~(d)~~(f) "Healthcare facility" means any institutional health service provider licensed
13 pursuant to the provisions of chapter 17 of title 23.

14 ~~(e)~~(g) "Health maintenance organization" means a public or private organization licensed
15 pursuant to the provisions of chapter 17 of title 23 or chapter 41 of title 27.

16 ~~(d)~~(h) "Limited registrant" means a person holding a limited registration certificate pursuant
17 to the provisions of this chapter.

18 ~~(e)~~(i) "Nonprofit medical services corporation" or "nonprofit hospital service corporation"
19 or "nonprofit podiatry/medical service corporation" means any corporation organized pursuant to

1 chapter 19 or 20 of title 27 for the purpose of establishing, maintaining, and operating a nonprofit
2 medical hospital.

3 ~~(h)~~(j) “Peer-review board” means any committee of a state or local podiatry association or
4 society, or a committee of any licensed healthcare facility, or the podiatry staff of the committee,
5 or any committee of a podiatric care foundation or health maintenance organization, or any staff
6 committee or consultant of a hospital, medical, or podiatric service corporation, the function of
7 which, is to evaluate and improve the quality of podiatric care rendered by providers of podiatric
8 care service or to determine that podiatric care services rendered were professionally indicated or
9 were performed in compliance with the applicable standard of care or that the cost for podiatric
10 care rendered was considered reasonable by the providers of professional podiatric care services in
11 the area and shall include a committee functioning as a utilization review committee under the
12 provisions of the Health Insurance for the Aged Act (Medicare) or as a professional standards
13 review organization or statewide professional standards review council under the provisions of P.L.
14 92-603, 42 U.S.C. § 1301 et seq. (professional standards review organizations), or a similar
15 committee or a committee of similar purpose, to evaluate or review the diagnosis or treatment of
16 the performance or rendition of podiatric services that are performed under public podiatric
17 programs of either state or federal design.

18 ~~(h)~~(k) “Person” means any individual, partnership, firm, corporation, association, trust or
19 estate, state or political subdivision or instrumentality of a state.

20 ~~(h)~~(l) “Podiatrist” means a person with a license to practice podiatric medicine and surgery
21 in this state under the provisions of this chapter.

22 ~~(h)~~(m) “Podiatrist,” a person licensed as described in this chapter, shall be considered a
23 physician and surgeon of the foot and ankle. For the purposes of reimbursement by and for
24 subscriber benefits/participation agreements with health maintenance organizations, nonprofit
25 medical-service corporations, for-profit medical service corporations, and third-party insurers, it is
26 unlawful to discriminate against podiatrists.

27 ~~(h)~~(n) “Practice of podiatry.” Any person is practicing podiatry within the meaning of this
28 chapter who uses or permits to be used, directly or indirectly, for profit or otherwise, for their own
29 self or for any other person, in connection with their own name, the word “podiatrist” or “podiatric
30 physician and surgeon,” or the title DPM, or any other words, letters, titles, or descriptive matter,
31 personal or not, that directly or indirectly implies the practice of podiatry, or who owns, leases,
32 maintains, or operates a podiatry business in any office or other room or rooms where podiatry
33 operations are performed, or directly or indirectly is manager, proprietor, or conductor of the
34 business; or who directly or indirectly informs the public in any language, orally, in writing, or by

1 drawings, demonstrations, specimens, signs, or pictures that he or she can perform or will attempt
2 to perform foot operations of any kind; or who undertakes, by any means or method, gratuitously
3 or for a salary, fee, money, or other reward paid or granted directly or indirectly to himself or herself
4 or to any other person, to diagnose or profess to diagnose, or to treat or profess to treat, or to
5 prescribe for or profess to prescribe for any of the lesions, diseases, disorders, or deficiencies of
6 the pedal extremity. The foot is defined to be the pedal extremity of the human body and its
7 articulations, and shall include the tendons and muscles of the lower leg only as they are involved
8 in the condition of the foot. Provided, a certified foot care nurse who is certified by and in good
9 standing with the Wound Ostomy and Continence Nursing Certification Board, and a certified foot
10 care specialist who is certified and in good standing with the American Foot Care Nurses
11 Association, may provide the services described in § 5-29-45, notwithstanding that some of those
12 services may overlap with the practice of podiatry.

13 ~~(m)~~(o) Wherever in the general or public laws there appear the words chiropody,
14 chiropodist, and chiropodists, the words podiatry, podiatrist, and podiatrists shall be substituted.

15 SECTION 2. Chapter 5-29 of the General Laws entitled "Podiatrists" is hereby amended
16 by adding thereto the following section:

17 **5-29-45. Certified foot care nurse.**

18 (a) A certified foot care nurse ("CFCN") who is certified and in good standing with the
19 Wound Ostomy and Continence Nursing Certification Board, or a certified foot care specialist
20 ("CFCS") who is certified and in good standing with the American Foot Care Nurses Association,
21 or both, may provide foot care services as provided in subsection (b) of this section, as a home
22 service, notwithstanding that some of these services may also meet the definition of "podiatry
23 services" as defined in this chapter. A CFCN or CFCS engaged in providing foot care services
24 limited to those services described in subsection (b) of this section, in a home setting, shall not be
25 deemed to be a home nursing care provider for purpose of §§ 23-17-10 and 23-17-42.

26 (b) The services a CFCN or CFCS, as defined in this chapter may provide as a home service
27 within the State of Rhode Island include the following:

28 (1) Routine foot and nail care including nail clipping;

29 (2) Reduction of thickened hard nails;

30 (3) Callus and corn reduction;

31 (4) Foot and skin assessment;

32 (5) Light massage to lower legs and feet;

33 (6) Distribute foot care education/materials; and

34 (7) Make referrals to a licensed physician specialist or podiatrist.

1 (c) The providing of services by a CFCN or a CFCS, pursuant to the provisions of this
2 section, shall not be deemed to be the practice of podiatry without a license.

3 (d) The department of health shall promulgate rules and regulations to implement the
4 provisions of this section.

5 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would permit a certified foot care nurse or a certified foot care specialist, to provide
- 2 certain at-home foot care, including routine foot and nail care including nail clipping.
- 3 This act would take effect upon passage.

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