

## As Introduced

136th General Assembly

Regular Session

S. B. No. 354

2025-2026

Senator Roegner

To enact sections 4731.12 and 4731.121 of the  
Revised Code to enact the Interstate Podiatric  
Medical Licensure Compact.

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### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That sections 4731.12 and 4731.121 of the  
Revised Code be enacted to read as follows:

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#### Sec. 4731.12. SECTION 1. PURPOSE

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In order to strengthen access to healthcare, and in  
recognition of the advances in the delivery in health care, the  
member states of the Interstate Podiatric Medical Licensure  
Compact have allied in common purpose to develop a comprehensive  
process that complements the existing licensing and regulatory  
authority of state podiatric medical boards, provides a  
streamlined process that allows podiatric physicians to become  
licensed in multiple states, thereby enhancing the portability  
of a podiatric medical license and ensuring the safety of  
patients. The Compact creates another pathway for licensure and  
does not otherwise change a state's existing Podiatric Medical  
Practice Act. The Compact also adopts the prevailing standard  
for licensure and affirms that the practice of podiatric  
medicine occurs where the patient is located at the time of the

podiatric physician-patient encounter, and therefore, requires 21  
the podiatric physician to be under the jurisdiction of the 22  
state podiatric medical board where the patient is located. 23  
State podiatric medical boards that participate in the Compact 24  
retain the jurisdiction to impose an adverse action against a 25  
license to practice podiatric medicine in that state issued to a 26  
podiatric physician through the procedures in the Compact. 27

SECTION 2. DEFINITIONS

In this Compact: 29  
(a) "Bylaws" means those bylaws established by the 30  
Interstate Commission pursuant to Section 11. 31

(b) "Commissioner" means the voting representative 32  
appointed by each member board pursuant to Section 11. 33

(c) "Conviction" means a finding by a court that an 34  
individual is guilty of a criminal offense through adjudication, 35  
or entry of a plea of guilt or no contest to the charge by the 36  
offender. Evidence of an entry of conviction of a criminal 37  
offense by the court shall be considered final for purposes of 38  
disciplinary action by a member board. 39

(d) "Expedited License" means a full unrestricted 40  
podiatric medical license granted by a member state to an 41  
eligible podiatric physician through the process set forth in 42  
the Compact. 43

(e) "Criminal background check" means that the member 44  
board is authorized to obtain a Federal Bureau of Investigations 45  
biometric based Federal Criminal Records Check Information 46  
report from the authorized state agency for the exclusive 47  
purpose of determining eligibility for certification of 48  
qualification that would allow for an expedited license. 49

<u>(f) "Federal Criminal Records Check Information"</u> means any information obtained by a member board from the Federal Bureau of Investigations relating to a federal criminal records check performed by a member board under Public Law 92-544.	50
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<u>(g) "Interstate Commission"</u> means the interstate commission created pursuant to Section 11.	54
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<u>(h) "License"</u> means authorization by a member state for a podiatric physician to engage in the practice of podiatric medicine, which would be unlawful without authorization.	56
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<u>(i) "Podiatric Medical Practice Act"</u> means laws and regulations governing the practice of podiatric medicine within a member state.	59
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<u>(j) "Member Board"</u> means a state agency in a member state that acts in the sovereign interest of the state by protecting the public through licensure, regulation, and education of podiatric physicians as directed by the state government.	62
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<u>(k) "Member State"</u> means a state which has enacted the Compact.	66
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<u>(l) "Practice of Podiatric medicine"</u> means that clinical prevention, diagnosis, or treatment of human disease, injury, or condition requiring a podiatric physician to obtain and maintain a license in compliance with the Podiatric Medical Practice Act of a member state.	68
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<u>(m) "Podiatric physician"</u> means any person who:	73
<u>1) Is a graduate of a podiatric medical school accredited by the Council of Podiatric Medical Education;</u>	74
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<u>2) Passed Parts I, II, and III (PMLexis) of the National Board of Podiatric Medical Examiners' (NBPME) / American</u>	76
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<u>Podiatric Medical Licensing Examination (APMLE), or their</u>	78
<u>NBPME/APMLE recognized replacement examinations;</u>	79
<u>3) Successfully complete a podiatric residency program</u>	80
<u>approved by the Council on Podiatric Medical Education;</u>	81
<u>4) Holds specialty certification from a specialty board</u>	82
<u>recognized by the Council on Podiatric Medical Education;</u>	83
<u>5) Possesses a full and unrestricted license to engage in</u>	84
<u>the practice of podiatric medicine issued by a member board;</u>	85
<u>6) Has never been convicted, received adjudication,</u>	86
<u>deferred adjudication, community supervision, or deferred</u>	87
<u>disposition for any offense by a court of appropriate</u>	88
<u>jurisdiction;</u>	89
<u>7) Has never held a license authorizing the practice of</u>	90
<u>podiatric medicine subjected to discipline by a licensing agency</u>	91
<u>in any state, federal, or foreign jurisdiction, excluding any</u>	92
<u>action related to the non-payment of fees related to a license;</u>	93
<u>8) Has never had a controlled substance license or permit</u>	94
<u>suspended or revoked by a state or the United States Drug</u>	95
<u>Enforcement Administration or voluntarily surrendered such</u>	96
<u>license after notification of investigation;</u>	97
<u>9) Is not under active investigation by a licensing agency</u>	98
<u>or law enforcement authority in any state, federal or foreign</u>	99
<u>jurisdiction.</u>	100
<u>(n) "Offense" means a felony, gross misdemeanor, or a</u>	101
<u>misdemeanor related to the practice of podiatry.</u>	102
<u>(o) "Rule" means a written statement by the Interstate</u>	103
<u>Commission promulgated pursuant to Section 12 of the Compact</u>	104
<u>that is of general applicability, implements, interprets, or</u>	105

prescribes a policy or provision of the Compact, or an 106  
organizational, procedural, or practice requirement of the 107  
Interstate Commission, and has the force and effect of statutory 108  
law in a member state, and includes the amendment, repeal, or 109  
suspension of an existing rule. 110

(p) "State" means any state, commonwealth, district, or 111  
territory of the United States. 112

(q) "State of Principal License" means a member state 113  
where a podiatric physician holds a license to practice 114  
podiatric medicine and which has been designated by such a 115  
podiatric physician for purposes of registration and 116  
participation in the Compact. 117

SECTION 3. ELIGIBILITY 118

(a) A podiatric physician must meet the eligibility 119  
requirements as defined in Section 2(1) to receive an expedited 120  
licensure under the terms and provisions of the Compact. 121

(b) A podiatric physician who does not meet the 122  
requirements of Section 2(1) may obtain a license to practice 123  
podiatric medicine in a member state if the individual complies 124  
with all laws and requirements, other than the Compact, relating 125  
to the issuance of a license to practice podiatric medicine in 126  
that state. 127

SECTION 4. DESIGNATION OF STATE OF PRINCIPAL LICENSE 128

(a) A podiatric physician shall designate a member state 129  
as the state of principal license for purposes of registration 130  
for expedited licensure through the Compact if the podiatric 131  
physician possesses a full and unrestricted license to practice 132  
podiatric medicine in that state, and the state is: 133

<u>1) The state of principal residence for the podiatric physician, or</u>	134 135
<u>2) The state where at least 25% of the practice of podiatric medicine occurs, or</u>	136 137
<u>3) The location of the podiatric physician's employer, or</u>	138
<u>4) If no state qualifies under subsection (1), subsection (2), or subsection (3), the state designated as state of residence for purpose of federal income tax.</u>	139 140 141
<u>(b) A podiatric physician may redesignate a member state as state of principal license at any time, as long as the state meets the requirements of subsection (a).</u>	142 143 144
<u>(c) The Interstate Commission is authorized to develop rules to facilitate redesignation of another member state as the state of principal license.</u>	145 146 147
<u>SECTION 5. APPLICATION AN ISSUANCE OF EXPEDITED LICENSURE</u>	148
<u>(a) A podiatric physician seeking licensure through the Compact shall file an application for an expedited license with the member board of the state selected by the podiatric physician as the state of principal license.</u>	149 150 151 152
<u>(b) Upon receipt of an application for an expedited license, the member board within the state selected as the state of principal license shall evaluate whether the podiatric physician is eligible for expedited licensure and issue a letter of qualification, verifying or denying the podiatric physician's eligibility to, and in the manner established through rule by, the Interstate Commission.</u>	153 154 155 156 157 158 159
<u>1) Static qualification, which include verification of podiatric medical education, podiatric graduate medical</u>	160 161

<u>education, results of any podiatric medical licensing</u>	162
<u>examination, and other qualifications as determined by the</u>	163
<u>Interstate Commission through rule, shall not be subject to</u>	164
<u>additional primary source verification where already primary</u>	165
<u>source verified by the state of principal license.</u>	166
<u>2) The member board within the state selected as the state</u>	167
<u>of principal license shall, in the course of verifying</u>	168
<u>eligibility, perform a criminal background check of an</u>	169
<u>applicant, including the use of results of fingerprint or other</u>	170
<u>biometric data checks compliant with the requirements of the</u>	171
<u>Federal Bureau of Investigation with the exception of federal</u>	172
<u>employees who have suitability determination in accordance with</u>	173
<u>5 C.F.R. § 731.202.</u>	174
<u>i. Communication between a member board and the Interstate</u>	175
<u>Commission and communication between member boards regarding the</u>	176
<u>verification of eligibility in Section (3) through the Compact</u>	177
<u>shall not include any information received from the Federal</u>	178
<u>Bureau of Investigations relating to a federal criminal records</u>	179
<u>check performed by a member board under Public Law 92-544,</u>	180
<u>including Federal Criminal Records Check Information.</u>	181
<u>ii. Federal Bureau of Investigation information obtained</u>	182
<u>by a member board shall not be shared with the Interstate</u>	183
<u>Commission.</u>	184
<u>3) Appeal of the determination of eligibility shall be</u>	185
<u>made to the member state where the application was filed and</u>	186
<u>shall be subject to the law of that state.</u>	187
<u>(c) Upon verification in subsection (b), podiatric</u>	188
<u>physician's eligibility for an expedited license shall complete</u>	189
<u>the registration process established by the Interstate</u>	190

<u>Commission to receive a license in a member state selected</u>	191
<u>pursuant to subsection (a), including the payment of any</u>	192
<u>applicable fees.</u>	193
<u>(d) After receiving verification of eligibility under</u>	194
<u>subsection (b) and any fees under subsection (c), a member board</u>	195
<u>shall issue an expedited license to the podiatric physician.</u>	196
<u>This license shall authorize the podiatric physician to practice</u>	197
<u>podiatric medicine in the issuing state consistent with the</u>	198
<u>Podiatric Medical Practice Act and all applicable laws and</u>	199
<u>regulations of the issuing member board and member state.</u>	200
<u>(e) An expedited license shall be valid for a period</u>	201
<u>consistent with the licensure period in the member state and in</u>	202
<u>the same manner as required for other podiatric physicians</u>	203
<u>holding a full and unrestricted license within the member state.</u>	204
<u>(f) An expedited license obtained through the Compact</u>	205
<u>shall be terminated if a podiatric physician fails to maintain a</u>	206
<u>license in the state of principal licensure for a non-</u>	207
<u>disciplinary reason, without redesignation of a new state of</u>	208
<u>principal licensure.</u>	209
<u>(g) The Interstate Commission is authorized to develop</u>	210
<u>rules regarding the application process, including payment of</u>	211
<u>any applicable fees, and the reporting of the issuance of an</u>	212
<u>expedited license by a member board to the Interstate</u>	213
<u>Commission.</u>	214
<u>SECTION 6. FEES FOR EXPEDITED LICENSURE</u>	215
<u>(a) A member state issuing an expedited license</u>	216
<u>authorizing the practice of podiatric medicine in that state may</u>	217
<u>impose a fee for a license issued or renewed through the</u>	218
<u>Compact.</u>	219

<u>(b) The Interstate Commission is authorized to develop rules regarding fees for expedited licenses.</u>	220 221
<u>SECTION 7. RENEWAL AND CONTINUED PARTICIPATION</u> 222	
<u>(a) A podiatric physician seeking to renew an expedited license granted in a member state shall complete a renewal process with the Interstate Commission if the podiatric physician:</u>	223 224 225 226
<u>1) Maintains a full and unrestricted license in a state of principal license;</u>	227 228
<u>2) Has not been convicted, received adjudication, deferred adjudication, community supervision, or deferred disposition for any offense by a court of appropriate jurisdiction;</u>	229 230 231
<u>3) Has not had a license authorizing the practice of podiatric medicine subject to discipline by a licensing agency in any state, federal, or foreign jurisdiction, or voluntarily surrendered such license in lieu of discipline, excluding any action related to non-payment of fees related to a license; and</u>	232 233 234 235 236
<u>4) Has not had a controlled substance license or permit suspended or revoke by a state or the United States Drug Enforcement Administration or voluntarily surrendered such license or permit after notification of investigation.</u>	237 238 239 240
<u>(b) Podiatric physicians shall comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.</u>	241 242 243
<u>(c) The Interstate Commission shall collect any renewal fees charged for the renewal of a license and distribute the fees to the applicable member board.</u>	244 245 246
<u>(d) Upon receipt of any renewal fees collected in</u>	247

<u>subsection (c), a member board shall renew the podiatric physician's license.</u>	248 249
<u>(e) Podiatric physician information collected by the Interstate Commission during the renewal process will be distributed to all member boards.</u>	250 251 252
<u>(f) The Interstate Commission is authorized to develop rules to address renewal of licenses obtained through the Compact.</u>	253 254 255
<u>SECTION 8. COORDINATED INFORMATION SYSTEM</u>	256
<u>(a) The Interstate Commission shall establish a database of all podiatric physicians licensed, or who have applied for licensure, under Section 5.</u>	257 258 259
<u>(b) Notwithstanding any other provision of law, member boards shall report to the Interstate Commission any public action or public complaints against a licensed podiatric physician who has applied or received an expedited license through the Compact.</u>	260 261 262 263 264
<u>(c) Member boards shall report disciplinary or investigatory information determined as necessary and proper by rule of the Interstate Commission.</u>	265 266 267
<u>(d) Member boards may report any non-public complaint, disciplinary, or investigatory information not required by subsection (c) to the Interstate Commission.</u>	268 269 270
<u>(e) Member board shall share complaint or disciplinary information about a podiatric physician upon request of another member board.</u>	271 272 273
<u>(f) All information provided to the Interstate Commission or distributed by member boards shall be confidential, filed</u>	274 275

<u>under seal, and used only for investigatory or disciplinary</u>	276
<u>matters.</u>	277
<u>(g) The Interstate Commission is authorized to develop</u>	278
<u>rules for mandated or discretionary sharing of information by</u>	279
<u>member boards.</u>	280
<u>SECTION 9. JOINT INVESTIGATIONS</u>	281
<u>(a) Licensure and disciplinary records of podiatric</u>	282
<u>physicians are deemed investigative.</u>	283
<u>(b) In addition to the authority granted to a member board</u>	284
<u>by its respective Podiatric Medical Practice Act or other</u>	285
<u>applicable state law, a member board may participate with other</u>	286
<u>member boards in joint investigations of podiatric physicians</u>	287
<u>license by the member boards.</u>	288
<u>(c) A subpoena issued by a member state as part of a joint</u>	289
<u>investigation shall be enforceable in other member states.</u>	290
<u>(d) Member boards may share any investigative, litigation,</u>	291
<u>or compliance materials in furtherance of any joint or</u>	292
<u>individual investigation initiated under the Compact.</u>	293
<u>(e) Any member state may investigate actual or alleged</u>	294
<u>violation of the statutes authorizing the practice of podiatric</u>	295
<u>medicine in any other member state in which a podiatric</u>	296
<u>physician holds a license to practice podiatric medicine.</u>	297
<u>SECTION 10. DISCIPLINARY ACTIONS</u>	298
<u>(a) Any disciplinary action taken by any member board</u>	299
<u>against a podiatric physician licensed through the Compact shall</u>	300
<u>be deemed unprofessional conduct which may be subject to</u>	301
<u>discipline by other member boards, in addition to any violation</u>	302
<u>of the Podiatric Medical Practice Act or regulations in that</u>	303

<u>state.</u>	304
(b) <u>If a license granted to a podiatric physician by a</u>	305
<u>member board in the state of principal license is revoked,</u>	306
<u>surrendered or relinquished in lieu of discipline, or suspended,</u>	307
<u>then all licenses issued to the podiatric physician by member</u>	308
<u>boards shall automatically be placed, without further action</u>	309
<u>necessary by any member board, on the same status. If the member</u>	310
<u>board is the state of principal license subsequently reinstates</u>	311
<u>the podiatric physician's license, a license issued to the</u>	312
<u>podiatric physician by any other member board shall remain</u>	313
<u>encumbered until that respective member board takes action to</u>	314
<u>reinstate the license in a manner consistent with the Podiatric</u>	315
<u>Medical Practice Act of that state.</u>	316
(c) <u>If disciplinary action is taken against a podiatric</u>	317
<u>physician by a member board not in a state of principal license,</u>	318
<u>any other member board may deem the action conclusive as to</u>	319
<u>matter of law and fact decided, and:</u>	320
1) <u>Impose the same or lesser sanction(s) against the</u>	321
<u>podiatric physician so long as such sanctions are consistent</u>	322
<u>with the Podiatric Medical Practice Act of that state; or</u>	323
2) <u>Pursue separate disciplinary action against the</u>	324
<u>podiatric physician under its respective Podiatric Medical</u>	325
<u>Practice Act, regardless of the action taken in other member</u>	326
<u>states.</u>	327
(d) <u>If a license granted to a podiatric physician by a</u>	328
<u>member board is revoked, surrendered or relinquished in lieu of</u>	329
<u>discipline, or suspended, then any license(s) issued to a</u>	330
<u>podiatric physician by any other member board(s) shall be</u>	331
<u>suspended, automatically and immediately without further action</u>	332

<u>necessary by the other member board(s), for ninety (90) days</u>	333
<u>upon entry of the order by the disciplining board, to permit the</u>	334
<u>member board(s) to investigate the basis for the action under</u>	335
<u>the Podiatric Medical Practice Act of that state.</u>	336
<u>(e) A member board may terminate the automatic provision</u>	337
<u>under subsection (b) or (d) of a license it issued, in a manner</u>	338
<u>consistent with the Podiatric Medical Practice Act of that</u>	339
<u>state.</u>	340
<u>SECTION 11. INTERSTATE PODIATRIC MEDICAL LICENSURE COMPACT</u>	341
<u>COMMISSION</u>	342
<u>(a) The member states hereby create the "Interstate</u>	343
<u>Podiatric Medical Licensure Compact Commission".</u>	344
<u>(b) The purpose of the Interstate Commission is the</u>	345
<u>administration of the Interstate Podiatric Medical Licensure</u>	346
<u>Compact, which is a discretionary state function.</u>	347
<u>(c) The Interstate Commission shall be a body corporate</u>	348
<u>and joint agency of the member states and shall have all the</u>	349
<u>responsibilities, powers, and duties set forth in the Compact,</u>	350
<u>and such additional powers as may be conferred upon it by a</u>	351
<u>subsequent concurrent action of the respective legislatures of</u>	352
<u>the member states in accordance with the terms of the Compact.</u>	353
<u>(d) The Interstate Commission shall consist of one voting</u>	354
<u>representative appointed by each member state who shall serve as</u>	355
<u>a Commissioner. A Commissioner shall be a(n):</u>	356
<u>1) Podiatric physician appointed to a member board;</u>	357
<u>2) Executive director, executive secretary, or similar</u>	358
<u>executive of a member board; or</u>	359
<u>3) Member of the public appointed to a member board.</u>	360

<u>(e) The Interstate Commission shall meet at least once</u>	361
<u>each calendar year. A portion of this meeting shall be a</u>	362
<u>business meeting to address such matters as may properly come</u>	363
<u>before the Commission, including the election of officers. The</u>	364
<u>chairperson may call additional meetings and shall call for a</u>	365
<u>meeting upon the request of a majority of the member states.</u>	366
<u>(f) The bylaws may provide for meetings of the Interstate</u>	367
<u>Commission to be conducted, in whole or in part, via</u>	368
<u>teleconference, video conference, or other electronic means by</u>	369
<u>which all participants can hear each other simultaneously and</u>	370
<u>participate effectively. Attendance by such electronic means</u>	371
<u>shall constitute presence in person at the meeting.</u>	372
<u>(g) Each Commissioner participating at a meeting of the</u>	373
<u>Interstate Commission is entitled to one vote. A majority of</u>	374
<u>Commissioners shall constitute a quorum for the transaction of</u>	375
<u>business, unless a larger quorum is required by the bylaws of</u>	376
<u>the Interstate Commission. A Commissioner shall not delegate a</u>	377
<u>vote to another Commissioner. In the absence of its</u>	378
<u>Commissioner, a member state may delegate voting authority for a</u>	379
<u>specified meeting to another person from that state who shall</u>	380
<u>meet the requirements of subsection (d).</u>	381
<u>(h) The Interstate Commission shall provide public notice</u>	382
<u>of all meetings and all meetings shall be open to the public.</u>	383
<u>The Interstate Commission may close a meeting, in full or in</u>	384
<u>portion, where it determines by a two-thirds vote of the</u>	385
<u>Commissioners present that any open meeting would be likely to:</u>	386
<u>1) Relate solely to the internal personnel practice and</u>	387
<u>procedures of the Interstate Commission;</u>	388
<u>2) Discuss matters specifically exempted from disclosure</u>	389

<u>by federal statute;</u>	390
<u>3) Discuss trade secrets, commercial, or financial</u>	391
<u>information that is privileged or confidential;</u>	392
<u>4) Involve accusing a person of a crime, or formally</u>	393
<u>censuring a person;</u>	394
<u>5) Discuss information of a personal nature where</u>	395
<u>disclosure would constitute a clearly unwarranted invasion of</u>	396
<u>personal privacy;</u>	397
<u>6) Discuss investigative records compiled for law</u>	398
<u>enforcement purposes;</u>	399
<u>7) Specifically relate to the participation in a civil</u>	400
<u>action or other legal proceeding.</u>	401
<u>(i) The Interstate Commission shall keep minutes which</u>	402
<u>shall fully describe all matters discussed in a meeting and</u>	403
<u>shall provide a full and accurate summary of actions taken,</u>	404
<u>including record of any roll call votes.</u>	405
<u>(j) The Interstate Commission shall make its information</u>	406
<u>and official records, to the extent not otherwise designated in</u>	407
<u>the Compact or by its rules, available to the public for</u>	408
<u>inspection.</u>	409
<u>(k) The Interstate Commission shall establish an executive</u>	410
<u>committee, which shall include officers, members, and others as</u>	411
<u>determined by the bylaws. The executive committee shall have the</u>	412
<u>power to act on behalf of the Interstate Commission, with the</u>	413
<u>exception of rulemaking, during periods when the Interstate</u>	414
<u>Commission is not in session. When acting on behalf of the</u>	415
<u>Interstate Commission, the executive committee shall oversee the</u>	416
<u>administration of the Compact including enforcement and</u>	417

<u>compliance with the provisions of the Compact, its bylaws and rules, and other such duties as necessary.</u>	418 419
<u>(1) The Interstate Commission shall establish other committees for governance and administration of the Compact.</u>	420 421
<u>SECTION 12. POWERS AND DUTIES OF THE INTERSTATE COMMISSION</u>	422
<u>(a) Oversee and maintain the administration of the Compact;</u>	423 424
<u>(b) Promulgate rules which shall be binding to the extent and in the manner provided for in the Compact;</u>	425 426
<u>(c) Issue, upon the request of a member state or member board, advisory opinions concerning the meeting or interpretation of the Compact, its bylaws, rules, and actions;</u>	427 428 429
<u>(d) Enforce compliance with Compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process;</u>	430 431 432 433
<u>(e) Establish and appoint committees including, but not limited to, an executive committee as required by Section 11, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties;</u>	434 435 436 437
<u>(f) Pay, or provide for the payment of the expenses related to the establishment, organization, and ongoing activities of the Interstate Commission;</u>	438 439 440
<u>(g) Establish and maintain one or more offices;</u>	441
<u>(h) Borrow, accept, hire, or contract for services of personnel;</u>	442 443
<u>(i) Purchase and maintain insurance and bonds;</u>	444

<u>(j) Employ an executive director who shall have the power to employ, select or appoint employees, agents, consultants, and to determine their qualifications, define their duties, and fix their compensation;</u>	445 446 447 448
<u>(k) Establish personnel policies and programs relating to conflicts of interest, rates of compensation, and qualification of personnel;</u>	449 450 451
<u>(l) Accept donations and grants of money, equipment, supplies, materials, and services to receive, utilize, and dispose of it in a manner consistent with the conflict of interest policies established by the Interstate Commission;</u>	452 453 454 455
<u>(m) Lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use, any property, real, personal, or mixed;</u>	456 457 458
<u>(n) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;</u>	459 460 461
<u>(o) Establish a budget and make expenditures;</u>	462
<u>(p) Adopt a seal and bylaws governing the management and operation of the Interstate Commission;</u>	463 464
<u>(q) Report annually to the legislatures and governors of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include reports of financial audits, and financial statements, and any recommendations that may have been adopted by the Interstate Commission;</u>	465 466 467 468 469 470
<u>(r) Coordinate education, training, and public awareness regarding the Compact, its implementation, and its operation;</u>	471 472

<u>(s) Maintain records in accordance with the bylaws;</u>	473
<u>(t) Seek and obtain trademarks, copyrights, and patents;</u>	474
<u>and</u>	475
<u>(u) Perform such functions as may be necessary or appropriate to achieve the purpose of the Compact.</u>	476
<u>SECTION 13. FINANCE POWERS</u>	478
<u>(a) The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff. The total assessment must be sufficient to cover the annual budget approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.</u>	479
<u>(b) The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same.</u>	488
<u>(c) The Interstate Commission shall not pledge the credit or any of the member states, except by, and with the authority of, the member state.</u>	491
<u>(d) The Interstate Commission shall maintain financial records in accordance with the bylaws, including profit and loss statements and balance sheet reports which shall be included in the annual report of the Interstate Commission.</u>	494
<u>SECTION 14. ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION</u>	498
<u>(a) The Interstate Commission shall, by a majority of</u>	500

Commissioners present and voting, adopt bylaws to govern its 501  
conduct as may be necessary or appropriate to carry out the 502  
purposes of the Compact within twelve (12) months of the first 503  
Interstate Commission meeting. 504

(b) The Interstate Commission shall elect or appoint 505  
annually from among its Commissioners, a chairperson, a vice- 506  
chairperson, and a treasurer, each of whom shall have such 507  
authority and duties as may be specified in the bylaws. The 508  
chairperson, or in the chairperson's absence or disability, the 509  
vice chairperson, shall preside at all meetings of the 510  
Interstate Commission. 511

(c) Officers selected in subsection (b) shall serve 512  
without remuneration for the Interstate Commission. 513

(d) The officers and employees of the Interstate 514  
Commission shall be immune from suite and liability, either 515  
personally or in their official capacity, for a claim for damage 516  
to or loss of property or personal injury or other civil 517  
liability caused or arising out of, or relating to, an actual or 518  
alleged act, error, or omission that occurred, or that such 519  
person had a reasonable basis for believing occurred, within the 520  
scope of the Interstate Commission employment, duties, or 521  
responsibilities; provided that such person shall not be 522  
protected from suit or liability for damage, loss, injury, or 523  
liability caused by the intentional or willful and wanton 524  
misconduct of such person. 525

(e) The liability of the executive director and employees 526  
of the Interstate Commission or representatives of the 527  
Interstate Commission, acting within the scope of such person's 528  
employment or duties for acts, errors, or omissions occurring 529  
within such person's state, may not exceed the limits of 530

liability set forth under the constitution and laws of that 531  
state for state officials, employees, and agents. The Interstate 532  
Commission is considered to be an instrumentality of the states 533  
for the purpose of such action. Nothing in this subsection shall 534  
be construed to protect such person from suit or liability for 535  
damage, loss, injury, or liability caused by the intentional or 536  
willful and wanton misconduct of such person. 537

(f) The Interstate Commission shall defend the executive 538  
director, its employees, and subject to the approval of the 539  
attorney general or other appropriate legal counsel of the 540  
member state represented by the Interstate Commission 541  
representative, shall defend such Interstate Commission 542  
representative in any civil action seeking to impose liability 543  
arising out of an actual or alleged act, error or omission that 544  
occurred within the scope of Interstate Commission employment, 545  
duties or responsibilities, or that the defendant had a 546  
reasonable basis for believing occurred within the scope of the 547  
Interstate Commission employment, duties, or responsibilities, 548  
provided that the actual or alleged act, error, or omission did 549  
not result from intentional or willful and wanton misconduct on 550  
the part of such person. 551

(g) To the extent not covered by the state involved, 552  
member state, or the Interstate Commission, the representatives 553  
or employees of the Interstate Commission shall be held harmless 554  
in the amount of a settlement or judgement, including attorney's 555  
fees and costs, obtained against such persons arising out of an 556  
actual or alleged act, error, or omission that occurred within 557  
the scope of the Interstate Commission employment, duties, or 558  
responsibilities, or that such persons had a reasonable basis 559  
for believing occurred within the scope of Interstate Commission 560  
employment, duties, or responsibilities, provided that the 561

actual or alleged act, error, or omission did not result from 562  
intentional or willful and wanton misconduct on the part of such 563  
person. 564

SECTION 15. RULEMAKING FUNCTIONS OF THE INTERSTATE 565  
COMMISSION 566

(a) The Interstate Commission shall promulgate rules in 567  
order to effectively and efficiently achieve the purpose of the 568  
Compact. Notwithstanding the foregoing, in the event the 569  
Interstate Commission exercises its rulemaking authority in a 570  
manner that is beyond the scope of the purposes of the Compact, 571  
or the powers granted hereunder, then such an action by the 572  
Interstate Commission shall be invalid and have no force or 573  
effect. 574

(b) Rules deemed appropriate for the operations of the 575  
Interstate Commission shall be made pursuant to the rulemaking 576  
process that substantially conforms to the "Model State 577  
Administrative Procedure Act" of 2010, and subsequent amendments 578  
thereto. 579

(c) Not later than thirty (30) days after a rule is 580  
promulgated, any person may file a petition for judicial review 581  
of the rule in the United States District Court for the District 582  
of Columbia or the federal district where the Interstate 583  
Commission has its principal offices, provided that the filing 584  
of such a petition shall not stay or otherwise prevent the rule 585  
from becoming effective unless the court finds that the 586  
petitioner has a substantial likelihood of success. The court 587  
shall give deference to the actions of the Interstate Commission 588  
consistent with applicable law and shall not find the rule to be 589  
unlawful if the rule represents a reasonable exercise of the 590  
authority granted to the Interstate Commission. 591

<u>SECTION 16. OVERSIGHT OF INTERSTATE COMPACT</u>	592
(a) <u>The executive, legislative, and judicial branches of state government in each member state shall enforce the Compact and shall take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of the Compact and the rules promulgated hereunder shall have standing as statutory law but shall not override existing state authority to regulate the practice of podiatric medicine.</u>	593 594 595 596 597 598 599
(b) <u>All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the Compact which may affect the powers, responsibilities or actions of the Interstate Commission.</u>	600 601 602 603 604
(c) <u>The Interstate Commission shall be entitled to receive all services of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes. Failure to provide service of process to the Interstate Commission shall render judgement or order void as to the Interstate Commission, the Compact, or promulgated rules.</u>	605 606 607 608 609 610
<u>SECTION 17. ENFORCEMENT OF INTERSTATE COMPACT</u>	611
(a) <u>The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of the Compact.</u>	612 613 614
(b) <u>The Interstate Commission may, by majority vote of the Commissioners present and voting, initiate legal action in the United States Court for the District of Columbia, or, at the discretion of the Interstate Commission, in federal district where the Interstate Commission has its principal offices, to enforce compliance with the provisions of the Compact, and its</u>	615 616 617 618 619 620

promulgated rules and bylaws, against a member state in default. 621  
The relief sought may include both injunctive relief and 622  
damages. In the event judicial enforcement is necessary, the 623  
prevailing party shall be awarded all costs of such litigation 624  
including reasonable attorney's fees. 625

(c) The remedies herein shall not be the exclusive 626  
remedies of the Interstate Commission. The Interstate Commission 627  
may avail itself of any other remedies available under state law 628  
or regulation of a profession. 629

SECTION 18. DEFAULT PROCEDURES 630

(a) The grounds for default include, but are not limited 631  
to, failure of a member board to perform such obligations or 632  
responsibilities imposed upon it by the Compact, or the rules 633  
and bylaws of the Interstate Commission promulgated under the 634  
Compact. 635

(b) If the Interstate Commission determines that a member 636  
state has defaulted in the performance of its obligations or 637  
responsibilities under the Compact, or the bylaws or promulgated 638  
rules, the Interstate Commission shall: 639

1) Provide written notice to the defaulting state and 640  
other member states, of the nature of the default, the means of 641  
curing the default, and any action taken by the Interstate 642  
Commission. The Interstate Commission shall specify the 643  
conditions by which the defaulting state must cure its default; 644  
and 645

2) Provide remedial training and specific technical 646  
assistance regarding the default. 647

(c) If the defaulting state fails to cure the default, the 648  
defaulting state shall be terminated from the Compact upon an 649

affirmative vote of the majority of the Commissioners present 650  
and voting, and all rights, privileges, and benefits conferred 651  
by the Compact shall terminate on the effective date of 652  
termination. A cure of the default does not relieve the 653  
offending state of obligations or liabilities incurred during 654  
the period of default. 655

(d) Termination of membership in the Compact shall be 656  
imposed only after all other means of securing compliance have 657  
been exhausted. Notice of intent to terminate shall be given by 658  
the Interstate Commission to the governor, the majority and 659  
minority leaders of the defaulting state's legislature, and each 660  
of the member states. 661

(e) The Interstate Commission shall establish rules and 662  
procedures to address licenses and podiatric physicians that are 663  
materially impacted by the termination of a member state, or the 664  
withdrawal of a member state. 665

(f) The member state which has been terminated is 666  
responsible for all dues, obligations, and liabilities incurred 667  
through the effective date of termination including obligations, 668  
the performance of which extends beyond the effective date of 669  
termination. 670

(g) The Interstate Commission shall not bear any costs 671  
relating to any state that has been found to be in default or 672  
which has been terminated from the Compact, unless otherwise 673  
mutually agreed upon in writing between the Interstate 674  
Commission and the defaulting state. 675

(h) The defaulting state may appeal the action of the 676  
Interstate Commission by petitioning the United States District 677  
Court for the District of Columbia or the federal district where 678

the Interstate Commission has its principal offices. The 679  
prevailing party shall be awarded all costs of litigation 680  
including reasonable attorney's fees. 681

SECTION 19. DISPUTE RESOLUTION

(a) The Interstate Commission shall attempt, upon the 683  
request of a member state, to resolve disputes which are subject 684  
to the Compact and which arise among member states or member 685  
boards. 686

(b) The Interstate Commission shall promulgate rules 687  
providing for both mediation and binding dispute resolution as 688  
appropriate. 689

SECTION 20. MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

(a) Any state is eligible to become a member of the 691  
Compact. 692

(b) The Compact shall become effective and binding upon 693  
legislative enactment of the Compact into law by no less than 694  
four (4) states. Thereafter, it shall become effective and 695  
binding on a state upon enactment of the Compact into law by 696  
that state. 697

(c) The governors of non-member states, or their 698  
designees, shall be welcome to participate in the activities of 699  
the Interstate Commission on a non-voting basis prior to 700  
adoption of the Compact by all states. 701

(d) The Interstate Commission may propose amendments to 702  
the Compact for enactment by the member states. No amendment 703  
shall become effective and binding upon the Interstate 704  
Commission and other member states unless and until it is 705  
enacted into law by unanimous consent of the member states. 706

<u>SECTION 21. WITHDRAWAL</u>	707
(a) <u>Once effective, the Compact shall continue in force</u>	708
and remain binding upon each and every member state; provided	709
that a member state may withdraw from the Compact by	710
specifically repealing the statute which enacted the Compact	711
into law.	712
(b) <u>Withdrawal from the Compact shall be by the enactment</u>	713
of a statute repealing the same, but shall not take effect until	714
one (1) year after the effective date of such statute and until	715
written notice of the withdrawal has been given by the	716
withdrawing state to the governor of each other member state.	717
(c) <u>The withdrawing state shall immediately notify the</u>	718
chairperson of the Interstate Commission in writing upon the	719
introduction of legislation repealing the Compact in the	720
withdrawing state.	721
(d) <u>The Interstate Commission shall notify the other</u>	722
member states of the withdrawing state's intent to withdraw	723
within sixty (60) days of its receipt of notice provided under	724
subsection (c).	725
(e) <u>The withdrawing state is responsible for all dues,</u>	726
obligations and liabilities incurred throughout the effective	727
date of withdrawal, including obligations, the performance of	728
which extend beyond the effective date of withdrawal.	729
(f) <u>Reinstatement following withdrawal of a member state</u>	730
shall occur upon the withdrawing date reenacting the Compact or	731
upon such later date as determined by the Interstate Commission.	732
(g) <u>The Interstate Commission is authorized to develop</u>	733
rules to address the impact of the withdrawal of a member state	734
on licenses granted in other member states to podiatric	735

physicians who designated the withdrawing member state as the 736  
state of principal license. 737

SECTION 22. DISSOLUTION 738

(a) The Compact shall be dissolved effective upon the date 739  
of the withdrawal or default of the member state which reduces 740  
the membership of the Compact to one (1) member state. 741

(b) Upon the dissolution of the Compact, the Compact 742  
becomes null and void and shall be of no further force or 743  
effect, and the business and affairs of the Interstate 744  
Commission shall be concluded, and surplus funds shall be 745  
distributed in accordance with the bylaws. 746

SECTION 23. SEVERABILITY AND CONSTRUCTION 747

(a) The provisions of the Compact shall be severable, and 748  
if any phrase, clause, sentence, or provision is deemed 749  
unenforceable, the remaining provisions of the Compact shall be 750  
enforceable. 751

(b) The provisions of the Compact shall be liberally 752  
construed to effectuate its purposes. 753

(c) Nothing in the Compact shall be construed to prohibit 754  
the applicability of other interstate compacts to which the 755  
member states are members. 756

SECTION 24. BINDING EFFECT OF COMPACT AND OTHER LAWS 757

(a) Nothing herein prevents the enforcement of any other 758  
law of a member state that is not inconsistent with the Compact. 759

(b) All laws in a member state in conflict with the 760  
Compact are superseded to the extent of the conflict. 761

(c) All lawful actions of the Interstate Commission, 762

<u>including all rules and bylaws promulgated by the Commission,</u>	763
<u>are binding upon all member states.</u>	764
<u>(d) All agreements between the Interstate Commission and</u>	765
<u>the member states are binding in accordance with their terms.</u>	766
<u>(e) In the event of any provision of the Compact that</u>	767
<u>exceeds the constitutional limits imposed on the legislature of</u>	768
<u>any member state, such provision shall be ineffective to the</u>	769
<u>extent of the conflict with the constitutional provision in</u>	770
<u>question in that member state.</u>	771
<u><b>Sec. 4731.121.</b> Not later than thirty days after the</u>	772
<u>"Interstate Podiatric Medical Licensure Compact" is entered into</u>	773
<u>under section 4731.12 of the Revised Code, the state medical</u>	774
<u>board, in accordance with section 11 of the compact, shall</u>	775
<u>select one individual to serve as a commissioner to the</u>	776
<u>interstate medical licensure compact commission created under</u>	777
<u>the compact. The board shall fill any vacancy in this position</u>	778
<u>not later than thirty days after the vacancy occurs.</u>	779