

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**S. B. No. 354**

**Senator Roegner**

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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

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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 28

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

(f) "Federal Criminal Records Check Information" means any 50  
information obtained by a member board from the Federal Bureau 51  
of Investigations relating to a federal criminal records check 52  
performed by a member board under Public Law 92-544. 53

(g) "Interstate Commission" means the interstate 54  
commission created pursuant to Section 11. 55

(h) "License" means authorization by a member state for a 56  
podiatric physician to engage in the practice of podiatric 57  
medicine, which would be unlawful without authorization. 58

(i) "Podiatric Medical Practice Act" means laws and 59  
regulations governing the practice of podiatric medicine within 60  
a member state. 61

(j) "Member Board" means a state agency in a member state 62  
that acts in the sovereign interest of the state by protecting 63  
the public through licensure, regulation, and education of 64  
podiatric physicians as directed by the state government. 65

(k) "Member State" means a state which has enacted the 66  
Compact. 67

(l) "Practice of Podiatric medicine" means that clinical 68  
prevention, diagnosis, or treatment of human disease, injury, or 69  
condition requiring a podiatric physician to obtain and maintain 70  
a license in compliance with the Podiatric Medical Practice Act 71  
of a member state. 72

(m) "Podiatric physician" means any person who: 73

1) Is a graduate of a podiatric medical school accredited 74  
by the Council of Podiatric Medical Education; 75

2) Passed Parts I, II, and III (PMLexis) of the National 76  
Board of Podiatric Medical Examiners' (NBPME) / American 77

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

education, results of any podiatric medical licensing 162  
examination, and other qualifications as determined by the 163  
Interstate Commission through rule, shall not be subject to 164  
additional primary source verification where already primary 165  
source verified by the state of principal license. 166

2) The member board within the state selected as the state 167  
of principal license shall, in the course of verifying 168  
eligibility, perform a criminal background check of an 169  
applicant, including the use of results of fingerprint or other 170  
biometric data checks compliant with the requirements of the 171  
Federal Bureau of Investigation with the exception of federal 172  
employees who have suitability determination in accordance with 173  
5 C.F.R. § 731.202. 174

i. Communication between a member board and the Interstate 175  
Commission and communication between member boards regarding the 176  
verification of eligibility in Section (3) through the Compact 177  
shall not include any information received from the Federal 178  
Bureau of Investigations relating to a federal criminal records 179  
check performed by a member board under Public Law 92-544, 180  
including Federal Criminal Records Check Information. 181

ii. Federal Bureau of Investigation information obtained 182  
by a member board shall not be shared with the Interstate 183  
Commission. 184

3) Appeal of the determination of eligibility shall be 185  
made to the member state where the application was filed and 186  
shall be subject to the law of that state. 187

(c) Upon verification in subsection (b), podiatric 188  
physician's eligibility for an expedited license shall complete 189  
the registration process established by the Interstate 190

Commission to receive a license in a member state selected 191  
pursuant to subsection (a), including the payment of any 192  
applicable fees. 193

(d) After receiving verification of eligibility under 194  
subsection (b) and any fees under subsection (c), a member board 195  
shall issue an expedited license to the podiatric physician. 196  
This license shall authorize the podiatric physician to practice 197  
podiatric medicine in the issuing state consistent with the 198  
Podiatric Medical Practice Act and all applicable laws and 199  
regulations of the issuing member board and member state. 200

(e) An expedited license shall be valid for a period 201  
consistent with the licensure period in the member state and in 202  
the same manner as required for other podiatric physicians 203  
holding a full and unrestricted license within the member state. 204

(f) An expedited license obtained through the Compact 205  
shall be terminated if a podiatric physician fails to maintain a 206  
license in the state of principal licensure for a non- 207  
disciplinary reason, without redesignation of a new state of 208  
principal licensure. 209

(g) The Interstate Commission is authorized to develop 210  
rules regarding the application process, including payment of 211  
any applicable fees, and the reporting of the issuance of an 212  
expedited license by a member board to the Interstate 213  
Commission. 214

#### SECTION 6. FEES FOR EXPEDITED LICENSURE 215

(a) A member state issuing an expedited license 216  
authorizing the practice of podiatric medicine in that state may 217  
impose a fee for a license issued or renewed through the 218  
Compact. 219



(b) The Interstate Commission is authorized to develop 220  
rules regarding fees for expedited licenses. 221

SECTION 7. RENEWAL AND CONTINUED PARTICIPATION 222

(a) A podiatric physician seeking to renew an expedited 223  
license granted in a member state shall complete a renewal 224  
process with the Interstate Commission if the podiatric 225  
physician: 226

1) Maintains a full and unrestricted license in a state of 227  
principal license; 228

2) Has not been convicted, received adjudication, deferred 229  
adjudication, community supervision, or deferred disposition for 230  
any offense by a court of appropriate jurisdiction; 231

3) Has not had a license authorizing the practice of 232  
podiatric medicine subject to discipline by a licensing agency 233  
in any state, federal, or foreign jurisdiction, or voluntarily 234  
surrendered such license in lieu of discipline, excluding any 235  
action related to non-payment of fees related to a license; and 236

4) Has not had a controlled substance license or permit 237  
suspended or revoke by a state or the United States Drug 238  
Enforcement Administration or voluntarily surrendered such 239  
license or permit after notification of investigation. 240

(b) Podiatric physicians shall comply with all continuing 241  
professional development or continuing medical education 242  
requirements for renewal of a license issued by a member state. 243

(c) The Interstate Commission shall collect any renewal 244  
fees charged for the renewal of a license and distribute the 245  
fees to the applicable member board. 246

(d) Upon receipt of any renewal fees collected in 247

subsection (c), a member board shall renew the podiatric 248  
physician's license. 249

(e) Podiatric physician information collected by the 250  
Interstate Commission during the renewal process will be 251  
distributed to all member boards. 252

(f) The Interstate Commission is authorized to develop 253  
rules to address renewal of licenses obtained through the 254  
Compact. 255

SECTION 8. COORDINATED INFORMATION SYSTEM 256

(a) The Interstate Commission shall establish a database 257  
of all podiatric physicians licensed, or who have applied for 258  
licensure, under Section 5. 259

(b) Notwithstanding any other provision of law, member 260  
boards shall report to the Interstate Commission any public 261  
action or public complaints against a licensed podiatric 262  
physician who has applied or received an expedited license 263  
through the Compact. 264

(c) Member boards shall report disciplinary or 265  
investigatory information determined as necessary and proper by 266  
rule of the Interstate Commission. 267

(d) Member boards may report any non-public complaint, 268  
disciplinary, or investigatory information not required by 269  
subsection (c) to the Interstate Commission. 270

(e) Member board shall share complaint or disciplinary 271  
information about a podiatric physician upon request of another 272  
member board. 273

(f) All information provided to the Interstate Commission 274  
or distributed by member boards shall be confidential, filed 275

under seal, and used only for investigatory or disciplinary 276  
matters. 277

(g) The Interstate Commission is authorized to develop 278  
rules for mandated or discretionary sharing of information by 279  
member boards. 280

SECTION 9. JOINT INVESTIGATIONS 281

(a) Licensure and disciplinary records of podiatric 282  
physicians are deemed investigative. 283

(b) In addition to the authority granted to a member board 284  
by its respective Podiatric Medical Practice Act or other 285  
applicable state law, a member board may participate with other 286  
member boards in joint investigations of podiatric physicians 287  
license by the member boards. 288

(c) A subpoena issued by a member state as part of a joint 289  
investigation shall be enforceable in other member states. 290

(d) Member boards may share any investigative, litigation, 291  
or compliance materials in furtherance of any joint or 292  
individual investigation initiated under the Compact. 293

(e) Any member state may investigate actual or alleged 294  
violation of the statutes authorizing the practice of podiatric 295  
medicine in any other member state in which a podiatric 296  
physician holds a license to practice podiatric medicine. 297

SECTION 10. DISCIPLINARY ACTIONS 298

(a) Any disciplinary action taken by any member board 299  
against a podiatric physician licensed through the Compact shall 300  
be deemed unprofessional conduct which may be subject to 301  
discipline by other member boards, in addition to any violation 302  
of the Podiatric Medical Practice Act or regulations in that 303

state. 304

(b) If a license granted to a podiatric physician by a 305  
member board in the state of principal license is revoked, 306  
surrendered or relinquished in lieu of discipline, or suspended, 307  
then all licenses issued to the podiatric physician by member 308  
boards shall automatically be placed, without further action 309  
necessary by any member board, on the same status. If the member 310  
board is the state of principal license subsequently reinstates 311  
the podiatric physician's license, a license issued to the 312  
podiatric physician by any other member board shall remain 313  
encumbered until that respective member board takes action to 314  
reinstate the license in a manner consistent with the Podiatric 315  
Medical Practice Act of that state. 316

(c) If disciplinary action is taken against a podiatric 317  
physician by a member board not in a state of principal license, 318  
any other member board may deem the action conclusive as to 319  
matter of law and fact decided, and: 320

1) Impose the same or lesser sanction(s) against the 321  
podiatric physician so long as such sanctions are consistent 322  
with the Podiatric Medical Practice Act of that state; or 323

2) Pursue separate disciplinary action against the 324  
podiatric physician under its respective Podiatric Medical 325  
Practice Act, regardless of the action taken in other member 326  
states. 327

(d) If a license granted to a podiatric physician by a 328  
member board is revoked, surrendered or relinquished in lieu of 329  
discipline, or suspended, then any license(s) issued to a 330  
podiatric physician by any other member board(s) shall be 331  
suspended, automatically and immediately without further action 332

necessary by the other member board(s), for ninety (90) days 333  
upon entry of the order by the disciplining board, to permit the 334  
member board(s) to investigate the basis for the action under 335  
the Podiatric Medical Practice Act of that state. 336

(e) A member board may terminate the automatic provision 337  
under subsection (b) or (d) of a license it issued, in a manner 338  
consistent with the Podiatric Medical Practice Act of that 339  
state. 340

SECTION 11. INTERSTATE PODIATRIC MEDICAL LICENSURE COMPACT 341  
COMMISSION 342

(a) The member states hereby create the "Interstate 343  
Podiatric Medical Licensure Compact Commission". 344

(b) The purpose of the Interstate Commission is the 345  
administration of the Interstate Podiatric Medical Licensure 346  
Compact, which is a discretionary state function. 347

(c) The Interstate Commission shall be a body corporate 348  
and joint agency of the member states and shall have all the 349  
responsibilities, powers, and duties set forth in the Compact, 350  
and such additional powers as may be conferred upon it by a 351  
subsequent concurrent action of the respective legislatures of 352  
the member states in accordance with the terms of the Compact. 353

(d) The Interstate Commission shall consist of one voting 354  
representative appointed by each member state who shall serve as 355  
a Commissioner. A Commissioner shall be a(n): 356

1) Podiatric physician appointed to a member board; 357  
2) Executive director, executive secretary, or similar 358  
executive of a member board; or 359

3) Member of the public appointed to a member board. 360

(e) The Interstate Commission shall meet at least once 361  
each calendar year. A portion of this meeting shall be a 362  
business meeting to address such matters as may properly come 363  
before the Commission, including the election of officers. The 364  
chairperson may call additional meetings and shall call for a 365  
meeting upon the request of a majority of the member states. 366

(f) The bylaws may provide for meetings of the Interstate 367  
Commission to be conducted, in whole or in part, via 368  
teleconference, video conference, or other electronic means by 369  
which all participants can hear each other simultaneously and 370  
participate effectively. Attendance by such electronic means 371  
shall constitute presence in person at the meeting. 372

(g) Each Commissioner participating at a meeting of the 373  
Interstate Commission is entitled to one vote. A majority of 374  
Commissioners shall constitute a quorum for the transaction of 375  
business, unless a larger quorum is required by the bylaws of 376  
the Interstate Commission. A Commissioner shall not delegate a 377  
vote to another Commissioner. In the absence of its 378  
Commissioner, a member state may delegate voting authority for a 379  
specified meeting to another person from that state who shall 380  
meet the requirements of subsection (d). 381

(h) The Interstate Commission shall provide public notice 382  
of all meetings and all meetings shall be open to the public. 383  
The Interstate Commission may close a meeting, in full or in 384  
portion, where it determines by a two-thirds vote of the 385  
Commissioners present that any open meeting would be likely to: 386

1) Relate solely to the internal personnel practice and 387  
procedures of the Interstate Commission; 388

2) Discuss matters specifically exempted from disclosure 389

by federal statute; 390

3) Discuss trade secrets, commercial, or financial 391  
information that is privileged or confidential; 392

4) Involve accusing a person of a crime, or formally 393  
censuring a person; 394

5) Discuss information of a personal nature where 395  
disclosure would constitute a clearly unwarranted invasion of 396  
personal privacy; 397

6) Discuss investigative records compiled for law 398  
enforcement purposes; 399

7) Specifically relate to the participation in a civil 400  
action or other legal proceeding. 401

(i) The Interstate Commission shall keep minutes which 402  
shall fully describe all matters discussed in a meeting and 403  
shall provide a full and accurate summary of actions taken, 404  
including record of any roll call votes. 405

(j) The Interstate Commission shall make its information 406  
and official records, to the extent not otherwise designated in 407  
the Compact or by its rules, available to the public for 408  
inspection. 409

(k) The Interstate Commission shall establish an executive 410  
committee, which shall include officers, members, and others as 411  
determined by the bylaws. The executive committee shall have the 412  
power to act on behalf of the Interstate Commission, with the 413  
exception of rulemaking, during periods when the Interstate 414  
Commission is not in session. When acting on behalf of the 415  
Interstate Commission, the executive committee shall oversee the 416  
administration of the Compact including enforcement and 417

compliance with the provisions of the Compact, its bylaws and 418  
rules, and other such duties as necessary. 419

(l) The Interstate Commission shall establish other 420  
committees for governance and administration of the Compact. 421

SECTION 12. POWERS AND DUTIES OF THE INTERSTATE COMMISSION 422

(a) Oversee and maintain the administration of the 423  
Compact; 424

(b) Promulgate rules which shall be binding to the extent 425  
and in the manner provided for in the Compact; 426

(c) Issue, upon the request of a member state or member 427  
board, advisory opinions concerning the meeting or 428  
interpretation of the Compact, its bylaws, rules, and actions; 429

(d) Enforce compliance with Compact provisions, the rules 430  
promulgated by the Interstate Commission, and the bylaws, using 431  
all necessary and proper means, including but not limited to the 432  
use of judicial process; 433

(e) Establish and appoint committees including, but not 434  
limited to, an executive committee as required by Section 11, 435  
which shall have the power to act on behalf of the Interstate 436  
Commission in carrying out its powers and duties; 437

(f) Pay, or provide for the payment of the expenses 438  
related to the establishment, organization, and ongoing 439  
activities of the Interstate Commission; 440

(g) Establish and maintain one or more offices; 441

(h) Borrow, accept, hire, or contract for services of 442  
personnel; 443

(i) Purchase and maintain insurance and bonds; 444



(j) Employ an executive director who shall have the power 445  
to employ, select or appoint employees, agents, consultants, and 446  
to determine their qualifications, define their duties, and fix 447  
their compensation; 448

(k) Establish personnel policies and programs relating to 449  
conflicts of interest, rates of compensation, and qualification 450  
of personnel; 451

(l) Accept donations and grants of money, equipment, 452  
supplies, materials, and services to receive, utilize, and 453  
dispose of it in a manner consistent with the conflict of 454  
interest policies established by the Interstate Commission; 455

(m) Lease, purchase, accept contributions or donations of, 456  
or otherwise to own, hold, improve or use, any property, real, 457  
personal, or mixed; 458

(n) Sell, convey, mortgage, pledge, lease, exchange, 459  
abandon, or otherwise dispose of any property, real, personal, 460  
or mixed; 461

(o) Establish a budget and make expenditures; 462

(p) Adopt a seal and bylaws governing the management and 463  
operation of the Interstate Commission; 464

(q) Report annually to the legislatures and governors of 465  
the member states concerning the activities of the Interstate 466  
Commission during the preceding year. Such reports shall also 467  
include reports of financial audits, and financial statements, 468  
and any recommendations that may have been adopted by the 469  
Interstate Commission; 470

(r) Coordinate education, training, and public awareness 471  
regarding the Compact, its implementation, and its operation; 472

- (s) Maintain records in accordance with the bylaws; 473
- (t) Seek and obtain trademarks, copyrights, and patents; 474
- and 475
- (u) Perform such functions as may be necessary or 476
- appropriate to achieve the purpose of the Compact. 477

SECTION 13. FINANCE POWERS 478

(a) The Interstate Commission may levy on and collect an 479

annual assessment from each member state to cover the cost of 480

the operations and activities of the Interstate Commission and 481

its staff. The total assessment must be sufficient to cover the 482

annual budget approved each year for which revenue is not 483

provided by other sources. The aggregate annual assessment 484

amount shall be allocated upon a formula to be determined by the 485

Interstate Commission, which shall promulgate a rule binding 486

upon all member states. 487

(b) The Interstate Commission shall not incur obligations 488

of any kind prior to securing the funds adequate to meet the 489

same. 490

(c) The Interstate Commission shall not pledge the credit 491

or any of the member states, except by, and with the authority 492

of, the member state. 493

(d) The Interstate Commission shall maintain financial 494

records in accordance with the bylaws, including profit and loss 495

statements and balance sheet reports which shall be included in 496

the annual report of the Interstate Commission. 497

SECTION 14. ORGANIZATION AND OPERATION OF THE INTERSTATE 498

COMMISSION 499

(a) The Interstate Commission shall, by a majority of 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

SECTION 16. OVERSIGHT OF INTERSTATE COMPACT

(a) 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.

(b) 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.

(c) 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.

SECTION 17. ENFORCEMENT OF INTERSTATE COMPACT

(a) The Interstate Commission, in the reasonable exercise  
of its discretion, shall enforce the provisions and rules of the  
Compact.

(b) 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

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 682

(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 690

(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

SECTION 21. WITHDRAWAL

(a) Once effective, the Compact shall continue in force  
and remain binding upon each and every member state; provided  
that a member state may withdraw from the Compact by  
specifically repealing the statute which enacted the Compact  
into law.

(b) Withdrawal from the Compact shall be by the enactment  
of a statute repealing the same, but shall not take effect until  
one (1) year after the effective date of such statute and until  
written notice of the withdrawal has been given by the  
withdrawing state to the governor of each other member state.

(c) The withdrawing state shall immediately notify the  
chairperson of the Interstate Commission in writing upon the  
introduction of legislation repealing the Compact in the  
withdrawing state.

(d) The Interstate Commission shall notify the other  
member states of the withdrawing state's intent to withdraw  
within sixty (60) days of its receipt of notice provided under  
subsection (c).

(e) The withdrawing state is responsible for all dues,  
obligations and liabilities incurred throughout the effective  
date of withdrawal, including obligations, the performance of  
which extend beyond the effective date of withdrawal.

(f) Reinstatement following withdrawal of a member state  
shall occur upon the withdrawing date reenacting the Compact or  
upon such later date as determined by the Interstate Commission.

(g) The Interstate Commission is authorized to develop  
rules to address the impact of the withdrawal of a member state  
on licenses granted in other member states to podiatric

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

including all rules and bylaws promulgated by the Commission, 763  
are binding upon all member states. 764

(d) All agreements between the Interstate Commission and 765  
the member states are binding in accordance with their terms. 766

(e) In the event of any provision of the Compact that 767  
exceeds the constitutional limits imposed on the legislature of 768  
any member state, such provision shall be ineffective to the 769  
extent of the conflict with the constitutional provision in 770  
question in that member state. 771

**Sec. 4731.121.** Not later than thirty days after the 772  
"Interstate Podiatric Medical Licensure Compact" is entered into 773  
under section 4731.12 of the Revised Code, the state medical 774  
board, in accordance with section 11 of the compact, shall 775  
select one individual to serve as a commissioner to the 776  
interstate medical licensure compact commission created under 777  
the compact. The board shall fill any vacancy in this position 778  
not later than thirty days after the vacancy occurs. 779