

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 354

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

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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