



March 19, 2018

Jimelle Rumberg, PhD, Executive Director
Ohio Foot and Ankle Medical Association
1960 Bethel Road, Suite 140
Columbus, OH 43220-1815

Dear Dr. Rumberg:

By letter dated July 13, 2017, Thomas J. McCabe, who was president of the Ohio Foot and Ankle Medical Association at the time, requested consideration of whether it is within the podiatric scope of practice to perform "shave biopsies" and "punch biopsies" on the leg and hand when a skin lesion appears suspicious and needs biopsied.

On March 14, 2018, the members of the State Medical Board of Ohio approved the following response:

The scope of practice of a podiatric physician is defined in Section 4731.151, Ohio Revised Code, to include the following:

- The medical, mechanical, and surgical treatment of ailments of the foot, the muscles and tendons of the leg governing the functions of the foot;
- The use of such preparations, medicines, and drugs as may be necessary for the treatment of such ailments;
- Treatment of local manifestations of systemic diseases as they appear in the hand and foot, but the patient must be concurrently referred to a medical or osteopathic physician for treatment of the systemic disease itself; and
- Hyperbaric oxygen therapy to treat ailments within the scope of practice of podiatry in accordance with section 4731.511, Ohio Revised Code.

The performance of shave or punch biopsies on the hand clearly falls within the "treatment of local manifestations of systemic diseases as they appear in the hand." Performance of such biopsies on the hand is within the scope of practice of a podiatric physician, but the patient must be concurrently referred to a medical or osteopathic physician for treatment of the systemic disease itself.

While it is also clearly within the scope of podiatric physicians to biopsy lesions of the foot, the question of a podiatric physician performing such biopsies on the lower leg requires consideration of factors not explicitly stated in Section 4731.51, Ohio Revised Code. One factor is whether podiatric medical education provides the podiatric physician with the requisite knowledge of the lower leg anatomy. Certainly podiatric medical education and training encompasses the anatomy of the leg and the muscles and tendons of the leg governing the functions of the foot. Another factor is whether the podiatric physician has the knowledge and skills necessary to perform a biopsy of a lesion on the lower leg. It is not disputed that a podiatric physician who biopsies lesions of the foot or hand would have the expertise necessary to perform a biopsy of a lesion on the lower leg. The required expertise to perform biopsies is not dependent upon the site of the lesion as the same knowledge and skills are required

whether the site is above or below the ankle. Finally, there is the factor of the need to timely address a possibly malignant lesion so that the patient can seek care from an appropriate medical or osteopathic physician.

After consideration of the above factors it is determined that it is within the scope of practice of an Ohio podiatric physician to perform punch or shave biopsies of lesions on the lower leg where the podiatric physician has expertise in performing biopsies. However, the podiatric physician must refer the patient to an appropriate medical or osteopathic physician for treatment of the disease itself. As with all medical procedures, the podiatric physician must perform the biopsy in conformance with the minimal standards of care of similar practitioners under the same or similar circumstances.

Thank you for your inquiry. The Medical Board welcomes comments and inquiries relevant to the practice of podiatry in Ohio. Should you have questions, please contact Sallie Debolt, Senior Counsel, at (614) 644-7021.

This letter is only a guideline and should not be interpreted as being all inclusive or exclusive. The Medical Board will review all possible violations of the Chapter 4731 of the Ohio Revised Code and/or rules promulgated thereunder on a case by case basis.

Sincerely,



Robert P. Giacalone
President