



Bill Ritter, Jr.
Governor

Barbara J. Kelley
Executive
Director

Findings and Notice of Adoption

Emergency Rule 135

___ CCR ___

Statement of Statutory Authority

Section 24-4-103(6) and 12-32-104(1)(a) authorize the Colorado Podiatry Board ("Board") to issue emergency rules if the Board finds that the immediate adoption of the regulation is imperatively necessary to comply with state law or for the preservation of health, safety or welfare and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to public interest.

Findings

The Board makes the following findings:

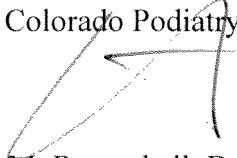
1. House Bill 10-1224, Colorado Podiatry Board Sunset Legislation, was signed into law by Governor Ritter on June 10, 2010 and became effective, today, July 1, 2010.
2. House Bill 10-1224 adds a new provision, section 12-32-107.4, C.R.S., requiring a training license for podiatry residents who were previously exempt from Colorado licensure requirements.
3. Emergency Rule 135 is adopted to implement a temporary training license in order to immediately comply with the newly enacted statutory requirement.
4. Adoption of this emergency rule is imperatively necessary to comply with newly enacted state law and the preservation of health, safety and welfare. Specifically, section 12-32-107.4 C.R.S, as set forth in House Bill 10-1224, requires a training license for podiatry residents and fellows previously exempt from licensure requirements. The time between the signing of the bill and the effective date of the bill was insufficient for the Colorado Podiatry Board to create a training license application, distribute such application to all podiatry residents and fellow, and investigate and review all completed applications to ensure the requisite criteria for licensure. The temporary training license ensures continuity in the training of the podiatry residents and fellows while complying with the new statutory requirements. The granting of the temporary training license is imperatively necessary to ensure compliance with the newly enacted state law and the preservation of the health, safety, and welfare of the public that rely on podiatry residents and fellows to provide podiatric care.
5. Compliance with the requirements of section 24-4-103, C.R.S. is contrary to the public interest for the reasons set forth herein.

Adoption and Notice of Adoption

For the reasons set forth above, the Colorado Board of Podiatry hereby adopts emergency rule 135, which shall be in force and effect for a period of 120 days, pursuant to House Bill 10-1346 enacted April 15, 2010, which amends section 24-4-103(6), C.R.S., and shall expire on October 28, 2010, unless terminated or replaced by permanent rule adopted in accordance with section 24-4-103, C.R.S. prior to expiration.

Adopted this 1st day of July, 2010.

For the Colorado Podiatry Board

A handwritten signature in black ink, appearing to read 'Eugene M. Rosenthal', written over a faint, larger signature.

Eugene M. Rosenthal, D.P.M
President