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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

Adopted New Rule: N.J.A.C. 13:35-2.4

Podiatrist Supervision and Administration of Hyperbaric Oxygen Therapy

Proposed: October 6, 2014, at 46 N.J.R. 2008(a).

Adopted: March 11, 2015, by the State Board of Medical Examiners, Stewart A. Berkowitz, M.D., President.

Filed: September 28, 2015, as R.2015 d.165, **without change**.

Authority: N.J.S.A. 45:9-2.

Effective Date: November 2, 2015.

Expiration Date: May 3, 2018.

Summary of Public Comment and Agency Response:

The official comment period ended December 5, 2014. In order to ensure compliance with P.L. 2013, c. 259, the comment period was extended through January 4, 2015. The Board received one comment from Tyla Housman, Deputy Director, Government Relations and Policy, New Jersey Hospital Association.

COMMENT: The commenter supports the new rule.

RESPONSE: The Board thanks the commenter for her support.

[page=2675] **Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted new rule.

Full text of the adopted new rule follows:

SUBCHAPTER 2. LIMITED LICENSES: PODIATRY, DIAGNOSTIC TESTING CENTERS AND MISCELLANEOUS

13:35-2.4 Podiatrist supervision and administration of hyperbaric oxygen therapy

(a) The purpose of this section is to set forth standards for the supervision and/or

administration of hyperbaric oxygen therapy by a licensed podiatrist. A licensed podiatrist who meets and complies with all requirements of this section may supervise and/or administer hyperbaric oxygen therapy to his or her patient, for the purpose of treating conditions of the lower leg, foot, or ankle, provided such conditions are within the scope of the practice of podiatry, as defined in N.J.S.A. 45:5-7.

(b) For purposes of this section, "hyperbaric oxygen therapy" or "HBOT" means a treatment in which a patient intermittently breathes 100 percent pure oxygen while inside a treatment chamber at two to three times the atmospheric pressure at sea level.

(c) A licensed podiatrist may supervise and/or administer HBOT treatment for conditions of the lower leg, foot, or ankle, provided such conditions are within the scope of the practice of podiatry, as defined in N.J.S.A. 45:5-7, and provided that he or she has:

1. Received educational training in the administration of HBOT; and
2. Been credentialed to perform the supervision and administration of HBOT by a hospital licensed by the Department of Health pursuant to N.J.S.A. 26:2H-1 et seq.

(d) A licensed podiatrist shall supervise and administer HBOT only:

1. Within the confines of a hospital licensed by the Department of Health pursuant to N.J.S.A. 26:2H-1 et seq., where a plenary licensed physician with knowledge of hyperbaric medicine is physically present on-site and readily available to manage any complications that may occur; and
2. When the patient has been cleared to receive HBOT by a plenary licensed physician prior to the initiation of treatment. The podiatrist supervising and/or administering HBOT shall maintain documentation of physician clearance to receive HBOT in the patient's medical record.