

STATE OF WISCONSIN  
PODIATRY AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF RULEMAKING : NOTICE OF TIME PERIOD  
PROCEEDINGS BEFORE THE : FOR COMMENTS FOR THE  
PODIATRY AFFILIATED : ECONOMIC IMPACT ANALYSIS  
CREDENTIALING BOARD :

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NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Podiatry Affiliated Credentialing Board relating to Definitions, including how this proposed rule may affect businesses, local government units, and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Nilajah Hardin, Administrative Rules Coordinator  
Division of Policy Development  
Department of Safety and Professional Services  
PO Box 14497  
Madison, WI 53708-0497  
[DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov)

**The deadline for submitting economic impact comments is March 13, 2026.**

PROPOSED ORDER

An order of the Podiatry Affiliated Credentialing Board to amend Pod 1.01 and 1.02 (intro.) and create Pod 1.02 (9) and chapter Pod 10, relating to podiatrists and telehealth.

Analysis prepared by the Department of Safety and Professional Services.

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ANALYSIS

**Statutes interpreted:** Section 448.695 (2), Stats.

**Statutory authority:** Sections 15.085 (5) (b) and 448.695 (2), Stats.

**Explanation of agency authority:**

Section 15.085 (5) (b), stats. states that “[each affiliated credentialing board] shall promulgate rules for its own guidance and for the guidance of the trader or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 448.695 (2), Stats., provides that “the affiliated credentialing board may promulgate rules to carry out the purposes of this subchapter.”

**Related statute or rule:** s. 440.01 (1) (hm), Stats.

**Plain language analysis:**

The rule updates Pod 1.01 to include chapters Pod 9 and 10. Section Pod 1.02 was updated to add a definition for “Telehealth.” Chapter Pod 10 was created which outlines telehealth practice for podiatrists.

**Summary of, and comparison with, existing or proposed federal regulation:** None.

**Comparison with rules in adjacent states:**

**Illinois:** The Illinois statutes and administrative rules do not appear to specifically address telehealth practice by podiatrists [225 Illinois Compiled Statutes Chapter 100 and 68 Illinois Administrative Code Chapter VII Part 1360]. Illinois Public Act 100-0317, or the Telehealth Act, does apply to health care professionals. However, in this instance “health care professional” does not include podiatrists [Illinois General Assembly Public Act 100-0317].

**Iowa:** Iowa statutes and administrative rules do not appear to specifically address telehealth practice by podiatrists [Iowa Code Title IV Chapter 149 and 481 Iowa Administrative Code Chapter 703].

**Michigan:** In Michigan, a licensed podiatrist must get consent before providing treatment via telehealth to a patient and keep a record of such consent in the patient’s medical record. Licensed podiatrists may prescribe drugs via telehealth services if they refer a patient to a provider accessible to the patient locally if needed and the licensee makes themselves available for follow up. The same standard of care that applies to traditional in-person care also applies to telehealth services [Michigan Administrative Code R 338.8105].

**Minnesota:** Minnesota statutes and administrative rules do not appear to specifically address telehealth practice by podiatrists [Minnesota Statutes Chapter 153 and Minnesota Administrative Code Chapter 6900].

**Summary of factual data and analytical methodologies:**

While promulgating this rule, the Podiatry Affiliated Credentialing Board referenced Wisconsin Administrative Code Chapter Med 24.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rule will be posted for a period of 14 days for public comment on the economic impact of the proposed rules, including how the proposed rules may affect businesses, local government units, and individuals.

**Effect on small business:**

These rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator, Jennifer Garrett, may be contacted by calling (608) 266-2112.

**Agency contact person:**

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov). Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. Pod 1.01 is amended to read:

**Pod 1.01 Authority and purpose.** Chapters Pod 1 to §10 are adopted by the podiatry affiliated credentialing board under ss. 15.085 (5) (b), 227.11 (2) and 448.695, Stats., and govern the practice of podiatric medicine and surgery under subch. IV of ch. 448, Stats.

SECTION 2. Pod 1.02 (intro.) is amended to read:

**Pod 1.02 Definitions.** As used in chs. Pod 1 to §10:

SECTION 3. Pod 1.02 (9) is created to read:

Pod 1.02 (9) “Telehealth” has the meaning given in s. 440.01 (1) (hm), Stats.

SECTION 4. Chapter Pod 10 is created to read:

**Chapter Pod 10**  
**TELEHEALTH**

**Pod 10.01 Equipment and Technology.** A podiatrist licensed to practice podiatric medicine and surgery by the podiatry affiliated credentialing board who provides health care services by telehealth is responsible for the quality and safe use of equipment and technology that is integral to patient diagnosis and treatment. The equipment and technology used by the podiatrist to provide health care services by telehealth shall provide, at a minimum, information that will enable the podiatrist to meet or exceed the standard of minimally competent podiatric medical practice.

**Pod 10.02 Practice Standards.** A podiatrist licensed to practice podiatric medicine and surgery by the podiatry affiliated credentialing board shall be held to the same standards of practice and conduct, including patient confidentiality and recordkeeping, regardless of whether health care services are provided in person or by telehealth. A podiatrist-patient

relationship may be established through telehealth.

**Pod 10.03 Wisconsin License Required.** A podiatrist who uses telehealth in the diagnosis and treatment of a patient located in this state shall be licensed to practice podiatric medicine and surgery by the podiatry affiliated credentialing board.

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)

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