

STATE OF SOUTH DAKOTA
DEPARTMENT OF HEALTH
BOARD OF PODIATRY EXAMINERS

DECLARATORY RULING CONCERNING	)	FINDINGS OF FACT, CONCLUSIONS OF
SDCL § 36-8-1 AND THE ABILITY OF	)	LAW, AND
PODIATRISTS TO PERFORM	)	DECLARATORY RULING
TRANSVERSE TIBIAL TRANSPORT	)	
	)	
	)	

This matter came before the South Dakota Board of Podiatry Examiners ("Board") through a petition by Dr. Peter Bellezza, DPM, MS, FACFAS. The Petition was filed pursuant to SDCL §§1-26-15 and 36-1C-14. On July 17, 2026, after due and proper notice, a hearing on the Petition was held before a quorum of the Board. The Board considered the petition and supporting material received prior to the hearing. Now, being otherwise informed as to all matters pertinent thereto, the Board enters the following Declaratory Ruling.

ISSUE

Whether the transverse tibial transport ("TTT") surgical procedure falls within the scope of podiatric practice in South Dakota as defined by the language in SDCL § 36-8-1 when performed to treat conditions affecting the human foot?

FINDINGS OF FACT

1. The Board has been authorized to regulate the practice of Podiatry in South Dakota (*see* SDCL Ch. 36-8). Podiatrists must be licensed by the Board to practice podiatry in the state (*see* 36-8-8).
2. SDCL § 36-8-1 defines the practice of podiatric medicine as:

Podiatric medicine is that profession of the health sciences concerned with the diagnosis and treatment of conditions affecting the human foot and their governing and related structures, and the soft tissues inserting into the foot,

including the local manifestations of systemic conditions, by all appropriate systems and means. A person licensed pursuant to this chapter as a podiatrist shall be designated a podiatric physician.

3. The Board considered the Petition filed on April 23, 2026, requesting this Declaratory Ruling clarifying whether the TTT surgical procedure falls within the scope of practice of podiatric medicine as defined in SDCL 36-8-1 when it is performed by a licensed podiatrist to treat conditions affecting the human foot.
4. The Petition asserted that the TTT surgical procedure is a technique involving the tibia and is performed to treat chronic, non-healing wounds of the foot, and directly addresses local manifestations of systematic conditions (e.g., diabetes, peripheral vascular disease) that impair foot healing and function.
5. There were no comments in support of or against the Petition considered by the Board.
6. There were no oral statements heard in support of or opposition against the Petition.
7. A motion to adopt the Petition, as filed, requesting that this Board affirm that the TTT surgical procedure falls within the scope of podiatric practice in South Dakota, was approved by a quorum of the Board by voice vote (5 ayes, 0 nays, 0 abstained).
8. Any Findings of fact more appropriately labeled a conclusion of law is hereby re-designed as such and incorporated below.

CONCLUSIONS OF LAW

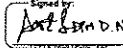
1. The Board has authority, pursuant to SDCL §§ 1-26-15 and 36-1C-14 to issue declaratory rulings concerning the applicability and interpretation of the Board's statutory and regulatory provisions.

2. The Board hereby declares that the TTT surgical procedure is within the scope of podiatric practice as defined in SDCL § 36-8-1.
3. The Board further declares that this decision does not authorize any specific practitioner to perform the TTT surgical procedure; licensed podiatrists are expected to take into account their individual training and competencies, principles of ethics promulgated by the American Podiatric Medical Association, as well as hospital policies and privileges as applicable, when making treatment decisions.
4. This decision does not limit or otherwise impact the Board's authority to suspend or revoke any person's license to practice podiatry pursuant to SDCL § 36-8-16 or related statutes and rules.
5. Any conclusion of law more appropriately designed a finding of fact is hereby re-designated as such and incorporated above.

Dated this 21st day of July, 2026.

BOARD OF PODIATRY EXAMINERS

By:

Signed by:


Scott Torness, DPM
President

7/21/2026