

SHORT TITLE: Practice of chiropractic; modifying definition; authorizing Board of Chiropractic Examiners to suspend license of chiropractic physician who becomes incompetent because of physical disability; emergency.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 29

By: Long (Ed)

AS INTRODUCED

An Act relating to the practice of chiropractic;  
amending 59 O.S. 1991, Sections 161.3 and 161.13,  
which relate to definitions and suspension of  
license to practice; modifying definition;  
authorizing Board of Chiropractic Examiners to  
suspend license of chiropractic physician who  
becomes incompetent because of physical disability;  
and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 161.3, is amended to read as follows:

Section 161.3 As used in the Oklahoma Chiropractic Practice Act, these words, phrases or terms, unless the context otherwise indicates, shall have the following meanings:

1. "Accredited chiropractic college" means a chiropractic educational institution which is accredited by the Commission on Accreditation of the Council on Chiropractic Education, a national, independent accreditation body recognized and approved by the U.S. Department of Education;
2. "Applicant" means any person submitting an application for licensure to the Board;
3. "Board" means the Board of Chiropractic Examiners;

4. "Chiropractic physician", "chiropractor", "doctor of chiropractic", "practitioner of chiropractic" and "licensee" are synonymous and mean a person holding an original license to practice chiropractic in this state;

5. "Examination" means the process used by the Board, prior to the issuance of an original license, to test the qualifications and knowledge of an applicant in the basic sciences and the science and art of chiropractic;

6. "Intern" means a student at an accredited chiropractic college who is participating in the Chiropractic Undergraduate Preceptorship Program;

7. "Original license" means a license granting initial authorization to practice chiropractic in this state issued by the Board to an applicant found by the Board to meet the licensing requirements of the Oklahoma Chiropractic Practice Act, by examination pursuant to Section 161.7 of this title, or by reciprocity pursuant to Section 161.9 of this title;

8. "Preceptor" means a chiropractic physician who is participating in the Chiropractic Undergraduate Preceptorship Program;

9. "Reciprocity" means the recognition and approval by the Board, prior to the issuance of an original license, of the chiropractic licensing process in another state, country, territory or province; and

10. "Renewal license" means a license issued to a chiropractic physician by the Board, on or before the first day of January of each year, which authorizes such licensee to practice chiropractic in this state during the succeeding calendar year.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 161.13, is amended to read as follows:

Section 161.13 A. The Board of Chiropractic Examiners is authorized, after notice and opportunity for a hearing, pursuant to

Article II of the Administrative Procedures Act, to issue an order suspending the original license or renewal license, or both, of a chiropractic physician who becomes incompetent to practice chiropractic because of mental illness or physical disability.

Commitment of a chiropractic physician to an institution for the mentally ill shall be considered prima facie evidence of his incompetency to practice chiropractic because of mental illness.

B. Any chiropractic physician who has his original license or renewal license, or both, suspended under the provisions of this section shall have the right to seek a judicial review of such order pursuant to Article II of the Administrative Procedures Act.

C. The Board, on its own motion or on the application of a chiropractic physician whose original license or renewal license, or both, have been suspended under the provisions of this section, is authorized, on proper showing that such chiropractic physician's competency to practice chiropractic has been restored, to reinstate such license or licenses at any time; provided, however, reinstatement shall not be made while such chiropractic physician is confined in an institution for the mentally ill. No reinstatement fee shall be charged by the Board for the reinstatement of any license which has been suspended under the provisions of this section.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-1-0157

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