

ENROLLED HOUSE
BILL NO. 1861

By: Easley of the House

and

Harrison of the Senate

An Act relating to sunset; amending 59 O.S. 1991, Section 161.4, as last amended by Section 1, Chapter 19, O.S.L. 1999 (59 O.S. Supp. 1999, Section 161.4), which relates to the Board of Chiropractic Examiners; re-creating such Board; and modifying termination date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 161.4, as last amended by Section 1, Chapter 19, O.S.L. 1999 (59 O.S. Supp. 1999, Section 161.4), is amended to read as follows:

Section 161.4 A. A Board of Chiropractic Examiners is hereby re-created to continue until July 1, ~~2000~~ 2006, in accordance with the provisions of the Oklahoma Sunset Law. The Board shall regulate the practice of chiropractic in this state in accordance with the provisions of the Oklahoma Chiropractic Practice Act. The Board, appointed by the Governor, shall be composed of three (3) chiropractic physicians and one (1) lay member representing the public.

B. Each chiropractic physician member of the Board shall:

1. Be a legal resident of this state;
2. Have practiced chiropractic continuously in this state during the five (5) years immediately preceding his appointment to the Board;
3. Be free of pending disciplinary action or active investigation by the Board; and
4. Be a person of recognized professional ability, integrity and good reputation.

C. The lay member of the Board shall:

1. Be a legal resident of this state;
2. Not be a registered or licensed practitioner of any of the healing arts or be related within the third degree of consanguinity or affinity to any such person; and
3. Participate in Board proceedings only for the purposes of:

- a. reviewing, investigating and disposing of written complaints regarding the conduct of chiropractic physicians, and
- b. formulating, adopting and promulgating rules pursuant to Article I of the Administrative Procedures Act.

D. The term of office of each chiropractic physician member of the Board shall be three (3) years, with one such member being appointed each year. The lay member of the Board shall serve a term coterminous with that of the Governor. Each member shall hold office until the expiration of the term of office for which appointed or until a qualified successor has been duly appointed. An appointment shall be made by the Governor within ninety (90) days after the expiration of the term of any member, or the occurrence of a vacancy on the Board due to resignation, death, or any other cause resulting in an unexpired term.

E. Before assuming duties on the Board, each member shall take and subscribe to the oath or affirmation provided in Article XV of the Oklahoma Constitution, which oath or affirmation shall be administered and filed as provided in said article.

F. A member may be removed from the Board by the Governor for cause which shall include, but not be limited to:

1. Ceasing to be qualified;
2. Being found guilty by a court of competent jurisdiction of a felony or any offense involving moral turpitude;
3. Being found guilty, through due process, of malfeasance, misfeasance or nonfeasance in relation to his Board duties;
4. Being found mentally incompetent by a court of competent jurisdiction;
5. Being found in violation of any provision of the Oklahoma Chiropractic Practice Act; or
6. Failing to attend three ~~(3)~~ consecutive meetings of the Board without just cause, as determined by the Board.

Passed the House of Representatives the 1st day of March, 2000.

Speaker of the House of
Representatives

Passed the Senate the 3rd day of April, 2000.

President of the Senate