

and

Armes of the House

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 161.11, as last amended by Section 6, Chapter 149, O.S.L. 2005 (59 O.S. Supp. 2005, Section 161.11), which relates to the Oklahoma Chiropractic Act; providing for certain renewal license fees; modifying certain requirements for renewal; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2001, Section 161.11, as last amended by Section 6, Chapter 149, O.S.L. 2005 (59 O.S. Supp. 2005, Section 161.11), is amended to read as follows:

Section 161.11 A. 1. Beginning January 1, 2005:

- a. ~~except as provided in subsection B of this section,~~
every a person holding an original license ~~to~~ and who is actively engaged in the practice of chiropractic in this state shall pay to the Board of Chiropractic Examiners, on or before January 1 of each year, a renewal license fee of Two Hundred Twenty-five Dollars (\$225.00), and
- b. ~~nonresidents~~ an inactive nonresident holding an original license to practice chiropractic in Oklahoma and who has filed a statement with the Board that the licensee is not actively engaged in the practice of chiropractic in this state and shall not engage in the practice of chiropractic in this state during the succeeding year, shall pay to the Board ~~of Chiropractic Examiners,~~ on or before January 1 of each

year, a renewal license fee of One Hundred Seventy-five Dollars (\$175.00),

- c. an inactive resident holding an original license to practice chiropractic in Oklahoma, and who has filed, or on whose behalf has been filed, a statement with the Board that because of illness, infirmity, active military service or other circumstances as approved by the Board, the licensee is unable to actively engage in the practice of chiropractic during the succeeding year, shall pay to the Board a renewal license fee of One Hundred Dollars (\$100.00), and
- d. a person holding an original license, but who is sixty-five (65) years of age or older and who has filed a statement with the Board that the licensee is not actively engaged in the practice of chiropractic in this state and shall not engage in the practice of chiropractic in this state during the succeeding year, shall pay to the Board a renewal licensee fee of Fifty Dollars (\$50.00).

2. In addition, each licensee shall present to the Board satisfactory evidence that during the preceding twelve (12) months the licensee attended sixteen (16) hours of continuing education that meets the requirements of Section 161.10a of this title, provided that inactive resident licensees may, at the discretion of the Board, be exempt from this requirement.

3. Beginning January 1, 2006, every chiropractic physician ~~in practice~~ who is actively engaged in the practice of chiropractic in this state shall submit to the Board documentary evidence that the chiropractor has malpractice insurance and maintains such insurance twelve (12) months of each year when practicing in this state. ~~Retired chiropractic physicians and those chiropractic physicians~~

Any licensee who is not actively engaged in practice in this state,
shall be exempt from providing proof of malpractice insurance.

~~B. 1. The Board is authorized, but is not required, to
establish a reduced renewal license fee, in an amount less than Two
Hundred Twenty-five Dollars (\$225.00), for each of the following
classes of licensees:~~

~~a. persons who hold an original license, but who are sixty-
five (65) years of age or older and are not actively
engaged in the practice of chiropractic in this state,
and~~

~~b. persons who hold an original license, but who are
nonresidents of Oklahoma and are not actively engaged in
the practice of chiropractic in this state.~~

~~2. Each such licensee shall file a statement with the Board
that the licensee is not actively engaged in the practice of
chiropractic in this state, and shall not engage in the practice of
chiropractic in this state during the succeeding calendar year.~~

~~3. Unless otherwise determined by the Board, each such licensee
must comply with the other requirements of subsection A of this
section in order to receive a renewal license.~~

~~C.~~ Subject to the laws of this state and rules promulgated
pursuant to the Oklahoma Chiropractic Practice Act, the Board shall,
upon determination that a licensee has complied with the
requirements of subsection A ~~or subsection B~~ of this section, issue
a renewal license to said licensee.

~~D.~~ C. The failure of a licensee to properly renew a license or
certificate shall be evidence of noncompliance with the Oklahoma
Chiropractic Practice Act.

1. The license shall automatically be placed in a lapsed status
for failure to renew and shall be considered lapsed and not in good
standing for purposes of the practice of chiropractic.

2. If within sixty (60) calendar days after January 1 the licensee pays the renewal fee, and the reinstatement fee set by the Board, the license may be reactivated.

3. If sixty (60) calendar days elapse and the license is not reinstated, the license shall automatically be suspended for failure to renew.

4. The practice of chiropractic is prohibited unless the license is active and in good standing with the Board.

~~E.~~ D. When an original license or renewal license, or both, have been suspended under the provisions of this section, the license or licenses may be reinstated upon:

1. Payment of a reinstatement fee in an amount fixed by the Board not to exceed Four Hundred Dollars (\$400.00);

2. Payment of the renewal license fee for the calendar year in which the original license is reinstated; and

3. Presentation to the Board of satisfactory evidence of compliance with the continuing education requirement of this section for the calendar year in which the original license is reinstated.

~~F.~~ E. The Board, by rule, may establish guidelines for the disposition of disciplinary cases involving specific types of violations. The guidelines may include, but are not limited to:

1. Minimum and maximum administrative fines;

2. Periods of suspension, probation or supervision;

3. Terms and conditions of probation; and

4. Terms and conditions for the reinstatement of an original license or renewal license, or both.

SECTION 2. This act shall become effective November 1, 2006.

Passed the Senate the 9th day of March, 2006.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2006.

Presiding Officer of the House
of Representatives