

3 Senate Bill No. 1552
4 As Amended

5 SENATE BILL NO. 1552 - By: LEFTWICH of the Senate and ARMES of the
6 House.

7 An Act relating to professions and occupations; amending 59
8 O.S. 2001, Section 161.11, as last amended by Section 6,
9 Chapter 149, O.S.L. 2005 (59 O.S. Supp. 2005, Section
10 161.11), which relates to the Oklahoma Chiropractic Act;
11 providing for certain renewal license fees; modifying
12 certain requirements for renewal; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 59 O.S. 2001, Section 161.11, as
16 last amended by Section 6, Chapter 149, O.S.L. 2005 (59 O.S. Supp.
17 2005, Section 161.11), is amended to read as follows:

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

- 19 a. ~~except as provided in subsection B of this section,~~
20 every a person holding an original license to and who
21 is actively engaged in the practice of chiropractic in
22 this state shall pay to the Board of Chiropractic
23 Examiners, on or before January 1 of each year, a
24 renewal license fee of Two Hundred Twenty-five Dollars
25 (\$225.00), and
26 b. ~~nonresidents~~ an inactive nonresident holding an
27 original license to practice chiropractic in Oklahoma

1 and who has filed a statement with the Board that the
2 licensee is not actively engaged in the practice of
3 chiropractic in this state and shall not engage in the
4 practice of chiropractic in this state during the
5 succeeding year, shall pay to the Board ~~of~~
6 ~~Chiropractic Examiners,~~ on or before January 1 of each
7 year, a renewal license fee of One Hundred Seventy-
8 five Dollars (\$175.00),

9 c. an inactive resident holding an original license to
10 practice chiropractic in Oklahoma, and who has filed,
11 or on whose behalf has been filed, a statement with
12 the Board that because of illness, infirmity, active
13 military service or other circumstances as approved by
14 the Board, the licensee is unable to actively engage
15 in the practice of chiropractic during the succeeding
16 year, shall pay to the Board a renewal license fee of
17 One Hundred Dollars (\$100.00), and

18 d. a person holding an original license, but who is
19 sixty-five (65) years of age or older and **who** has
20 filed a statement with the Board that the licensee is
21 not actively engaged in the practice of chiropractic
22 in this state and shall not engage in the practice of
23 chiropractic in this state during the succeeding year,

1 shall pay to the Board a renewal licensee fee of Fifty
2 Dollars (\$50.00).

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

9 3. Beginning January 1, 2006, every chiropractic physician ~~in~~
10 ~~practice~~ who is actively engaged in the practice of chiropractic in
11 this state shall submit to the Board documentary evidence that the
12 chiropractor has malpractice insurance and maintains such insurance
13 twelve (12) months of each year when practicing in this state.
14 ~~Retired chiropractic physicians and those chiropractic physicians~~
15 Any licensee who is not actively engaged in practice in this state,
16 shall be exempt from providing proof of malpractice insurance.

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

21 ~~a. persons who hold an original license, but who are sixty~~
22 ~~five (65) years of age or older and are not actively~~

1 ~~engaged in the practice of chiropractic in this state,~~
2 ~~and~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 1. Minimum and maximum administrative fines;

23 2. Periods of suspension, probation or supervision;

1 3. Terms and conditions of probation; and

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 2-13-06
6 - DO PASS, As Amended and Coauthored.