

3 Senate Bill No. 1577

4 SENATE BILL NO. 1577 - By: LEFTWICH of the Senate and COX of the  
5 House.

6 An Act relating to professions and occupations; amending 59  
7 O.S. 2001, Section 161.11, as last amended by Section 1,  
8 Chapter 36, O.S.L. 2006 (59 O.S. Supp. 2007, Section  
9 161.11), which relates to the Oklahoma Chiropractic Practice  
10 Act; modifying date relating to renewal of certain licenses;  
11 and declaring an emergency.

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

13 SECTION 1. AMENDATORY 59 O.S. 2001, Section 161.11, as  
14 last amended by Section 1, Chapter 36, O.S.L. 2006 (59 O.S. Supp.  
15 2007, Section 161.11), is amended to read as follows:

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

- 17 a. a person holding an original license and who is  
18 actively engaged in the practice of chiropractic in  
19 this state shall pay to the Board of Chiropractic  
20 Examiners, on or before ~~January 1~~ July 1 of each year,  
21 a renewal license fee of Two Hundred Twenty-five  
22 Dollars (\$225.00),  
23 b. an inactive nonresident holding an original license to  
24 practice chiropractic in Oklahoma and who has filed a  
25 statement with the Board that the licensee is not  
26 actively engaged in the practice of chiropractic in

1 this state and shall not engage in the practice of  
2 chiropractic in this state during the succeeding year,  
3 shall pay to the Board, on or before ~~January 1~~ July 1  
4 of each year, a renewal license fee of One Hundred  
5 Seventy-five Dollars (\$175.00),

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

15 d. a person holding an original license, but who is  
16 sixty-five (65) years of age or older and who has  
17 filed a statement with the Board that the licensee is  
18 not actively engaged in the practice of chiropractic  
19 in this state and shall not engage in the practice of  
20 chiropractic in this state during the succeeding year,  
21 shall pay to the Board a renewal licensee fee of Fifty  
22 Dollars (\$50.00).

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

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

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

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

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

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

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

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

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

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

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

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

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

- 4           1. Minimum and maximum administrative fines;
- 5           2. Periods of suspension, probation or supervision;
- 6           3. Terms and conditions of probation; and
- 7           4. Terms and conditions for the reinstatement of an original  
8 license or renewal license, or both.

9           SECTION 2. It being immediately necessary for the preservation  
10 of the public peace, health and safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN RESOURCES, dated  
14 2-14-08 - DO PASS, As Coauthored.