

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1577

By: Leftwich

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5
6 AS INTRODUCED

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

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

14 SECTION 1. AMENDATORY 59 O.S. 2001, Section 161.11, as
15 last amended by Section 1, Chapter 36, O.S.L. 2006 (59 O.S. Supp.
16 2007, Section 161.11), is amended to read as follows:

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

- 18 a. a person holding an original license and who is
19 actively engaged in the practice of chiropractic in
20 this state shall pay to the Board of Chiropractic
21 Examiners, on or before ~~January 1~~ July 1 of each year,
22 a renewal license fee of Two Hundred Twenty-five
23 Dollars (\$225.00),
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- 1 b. an inactive nonresident holding an original license to
2 practice chiropractic in Oklahoma and who has filed a
3 statement with the Board that the licensee is not
4 actively engaged in the practice of chiropractic in
5 this state and shall not engage in the practice of
6 chiropractic in this state during the succeeding year,
7 shall pay to the Board, on or before ~~January 1~~ July 1
8 of each year, a renewal license fee of One Hundred
9 Seventy-five Dollars (\$175.00),
- 10 c. an inactive resident holding an original license to
11 practice chiropractic in Oklahoma, and who has filed,
12 or on whose behalf has been filed, a statement with
13 the Board that because of illness, infirmity, active
14 military service or other circumstances as approved by
15 the Board, the licensee is unable to actively engage
16 in the practice of chiropractic during the succeeding
17 year, shall pay to the Board a renewal license fee of
18 One Hundred Dollars (\$100.00), and
- 19 d. a person holding an original license, but who is
20 sixty-five (65) years of age or older and who has
21 filed a statement with the Board that the licensee is
22 not actively engaged in the practice of chiropractic
23 in this state and shall not engage in the practice of
24 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 who
10 is actively engaged in the practice of chiropractic in this state
11 shall submit to the Board documentary evidence that the chiropractor
12 has malpractice insurance and maintains such insurance twelve (12)
13 months of each year when practicing in this state. Any licensee who
14 is not actively engaged in practice in this state, shall be exempt
15 from providing proof of malpractice insurance.

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

21 C. The failure of a licensee to properly renew a license or
22 certificate shall be evidence of noncompliance with the Oklahoma
23 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.

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

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

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

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