

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SUBCOMMITTEE RECOMMENDATION
4 FOR ENGROSSED

5 SENATE BILL NO. 1179

6 By: Marlatt of the Senate

7 and

8 Armes of the House

9 SUBCOMMITTEE RECOMMENDATION

10 An Act relating to professions and occupations;
11 amending 59 O.S. 2001, Sections 161.7, as last
12 amended by Section 4, Chapter 149, O.S.L. 2005 and
13 161.9, as amended by Section 7, Chapter 269, O.S.L.
14 2004 (59 O.S. Supp. 2008, Sections 161.7 and 161.9),
15 which relate to the Oklahoma Chiropractic Practice
16 Act; modifying certain fees; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 59 O.S. 2001, Section 161.7, as
20 last amended by Section 4, Chapter 149, O.S.L. 2005 (59 O.S. Supp.
21 2008, Section 161.7), is amended to read as follows:

22 Section 161.7 A. 1. Applications for an original license by
23 examination to practice chiropractic in this state shall be made to
24 the Board of Chiropractic Examiners in writing on a form and in a
manner prescribed by the Board. The application shall be supported
by the affidavits of two persons who hold a valid license to

1 practice chiropractic in this state or in another state, country,
2 territory or province, and who are not related to or under financial
3 obligations to the applicant, showing the applicant to be a person
4 of good moral character.

5 2. The application shall be accompanied by a fee of ~~One Hundred~~
6 ~~Fifty Dollars (\$150.00)~~ One Hundred Seventy-five Dollars (\$175.00),
7 which shall not be refundable under any circumstances.

8 3. If the application is disapproved by the Board, the
9 applicant shall be so notified by the secretary-treasurer of the
10 Board, with the reason for such disapproval fully stated in writing.

11 4. If the application is approved, the applicant, upon payment
12 of an examination fee of ~~One Hundred Fifty Dollars (\$150.00)~~ One
13 Hundred Seventy-five Dollars (\$175.00), may take an examination
14 administered by the Board for the purpose of securing an original
15 license. The Board may accept a passing score on an examination
16 administered by the National Board of Chiropractic Examiners taken
17 by the applicant, or may require the applicant to take an
18 examination administered by the Board or both.

19 B. Applicants for an original license to practice chiropractic
20 in this state shall submit to the Board of Chiropractic Examiners
21 documentary evidence of completion of:

22 1. A course of standard high school education;

23 2. Ninety (90) semester hours of college credits in a college
24 or university whose credits are accepted by the University of

1 Oklahoma. For students enrolled in an accredited Doctor of
2 Chiropractic Degree Program on the effective date of this act, proof
3 of having earned a minimum of sixty (60) semester hours of college
4 credits at an institution for which credits are accepted by the
5 University of Oklahoma shall meet the requirements of this
6 paragraph;

7 3. A course of resident study of not less than four (4) years
8 of nine (9) months each in an accredited chiropractic college. A
9 senior student at an accredited chiropractic college may make
10 application for an original license by examination prior to
11 graduation, but such a license shall not be issued until documentary
12 evidence of the graduation of the student from the college has been
13 submitted to the Board;

14 4. Parts I, II, III, IV and physiotherapy as administered by
15 the National Board of Chiropractic Examiners with a passing score;
16 and

17 5. Passing an examination with seventy-five percent (75%) or
18 better.

19 C. Effective January 1, 2006, out-of-state licensed applicants
20 shall submit to the Board documentary evidence that the applicant
21 has malpractice insurance. New applicants shall submit to the Board
22 documentary evidence that the applicant has malpractice insurance
23 within six (6) months of obtaining their Oklahoma license.

24

1 D. An applicant for an original license shall provide full
2 disclosure to the Board of any disciplinary action taken against the
3 applicant in any state pursuant to licensure and/or criminal
4 proceedings including, but not limited to, pleading guilty or nolo
5 contendere to, or being convicted of, a felony, a misdemeanor
6 involving moral turpitude, or a violation of federal or state
7 controlled dangerous substance laws.

8 E. No later than one (1) year after receiving a license to
9 practice in Oklahoma, chiropractic physicians shall complete an
10 orientation course of training approved by the Board. The
11 orientation course hours shall count as continuing education credits
12 for the year in which they were earned. An association may provide
13 the orientation course of training.

14 F. The Board shall issue an original license to those
15 applicants who have passed the required examination with a score
16 acceptable to the Board. No license fee shall be charged by the
17 Board for the balance of the calendar year in which such a license
18 is issued.

19 SECTION 2. AMENDATORY 59 O.S. 2001, Section 161.9, as
20 amended by Section 7, Chapter 269, O.S.L. 2004 (59 O.S. Supp. 2008,
21 Section 161.9), is amended to read as follows:

22 Section 161.9 A. Applications for an original license by
23 relocation of practice to practice chiropractic in this state shall
24 be made to the Board of Chiropractic Examiners in writing on a form

1 and in a manner prescribed by the Board. The application shall be
2 accompanied by a fee of ~~Three Hundred Dollars (\$300.00)~~ Three
3 Hundred Fifty Dollars (\$350.00), which shall not be refundable under
4 any circumstances. If the application is disapproved by the Board,
5 it shall be returned to the applicant with the reason for its
6 disapproval fully stated in writing.

7 B. The Board may, in its discretion, issue an original license
8 by relocation to practice to an applicant who is currently licensed
9 to practice chiropractic in another state, country, territory or
10 province, upon the following conditions:

11 1. That the applicant is of good moral character;

12 2. That the requirements for licensure in the state, country,
13 territory or province in which the applicant is licensed are deemed
14 by the Board to be equivalent to the requirements for obtaining an
15 original license by examination in force in this state at the date
16 of such license;

17 3. That the applicant has no disciplinary matters pending
18 against him in any state, country, territory or province;

19 4. That the license of the applicant was obtained by
20 examination in the state, country, territory or province wherein it
21 was issued, or was obtained by examination of the National Board of
22 Chiropractic Examiners;

23 5. That the applicant passes the examination given by the Board
24 with a minimum score of seventy-five percent (75%) or better; and

1 6. That the applicant meets all other requirements of the
2 Oklahoma Chiropractic Practice Act.

3 C. Any applicant requesting a license by relocation of practice
4 into Oklahoma shall:

5 1. Submit to the Board documentary evidence that the applicant
6 has been in active practice as a chiropractic physician five (5)
7 years immediately preceding the date of the application;

8 2. Provide full disclosure to the Board of any disciplinary
9 action taken against the applicant pursuant to licensure as a
10 chiropractic physician in any state pursuant to licensure and/or
11 criminal proceedings;

12 3. Provide full disclosure to the Board of any criminal
13 proceeding taken against the applicant including, but not limited
14 to:

15 a. pleading guilty, pleading nolo contendere or receiving
16 a conviction of a felony,

17 b. pleading guilty, pleading nolo contendere or receiving
18 a conviction for a misdemeanor involving moral
19 turpitude, or

20 c. pleading guilty, pleading nolo contendere or receiving
21 a conviction for violation of federal or state
22 controlled dangerous substance laws;

23 4. Comply with the jurisprudence assessment of this state;
24

1 5. If requested, appear before the Board for a personal
2 interview; and

3 6. Pay an application fee to be set by rule of the Board.

4 D. No license fee shall be charged by the Board for the balance
5 of the calendar year in which such a license is issued.

6 SECTION 3. This act shall become effective November 1, 2009.

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