

THE HOUSE OF REPRESENTATIVES  
Tuesday, April 14, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 1179

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1179 - By:  
MARLATT of the Senate and ARMES of the House.

( professions and occupations - Oklahoma Chiropractic Practice Act -  
effective date )

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

4 Section 161.7 A. 1. Applications for an original license by examination to practice  
5 chiropractic in this state shall be made to the Board of Chiropractic Examiners in writing  
6 on a form and in a manner prescribed by the Board. The application shall be supported  
7 by the affidavits of two persons who hold a valid license to practice chiropractic in this  
8 state or in another state, country, territory or province, and who are not related to or  
9 under financial obligations to the applicant, showing the applicant to be a person of good  
10 moral character.

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

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

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

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

15          1. A course of standard high school education;

16          2. Ninety (90) semester hours of college credits in a college or university whose  
17    credits are accepted by the University of Oklahoma. For students enrolled in an  
18    accredited Doctor of Chiropractic Degree Program on the effective date of this act, proof  
19    of having earned a minimum of sixty (60) semester hours of college credits at an  
20    institution for which credits are accepted by the University of Oklahoma shall meet the  
21    requirements of this paragraph;

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

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

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

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

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

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

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

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

8 Section 161.9 A. Applications for an original license by relocation of practice to  
9 practice chiropractic in this state shall be made to the Board of Chiropractic Examiners  
10 in writing on a form and in a manner prescribed by the Board. The application shall be  
11 accompanied by a fee of ~~Three Hundred Dollars (\$300.00)~~ Three Hundred Fifty Dollars  
12 (\$350.00), which shall not be refundable under any circumstances. If the application is  
13 disapproved by the Board, it shall be returned to the applicant with the reason for its  
14 disapproval fully stated in writing.

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

- 18 1. That the applicant is of good moral character;
- 19 2. That the requirements for licensure in the state, country, territory or province in  
20 which the applicant is licensed are deemed by the Board to be equivalent to the  
21 requirements for obtaining an original license by examination in force in this state at the  
22 date of such license;

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

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

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

8           6. That the applicant meets all other requirements of the Oklahoma Chiropractic  
9 Practice Act.

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

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

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

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

19           a.     pleading guilty, pleading nolo contendere or receiving a conviction of a  
20                    felony,

21           b.     pleading guilty, pleading nolo contendere or receiving a conviction for a  
22                    misdemeanor involving moral turpitude, or

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

3 4. Comply with the jurisprudence assessment of this state;

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

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

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,  
10 dated 04-13-09 - DO PASS, As Amended.