

SB 1179

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THE STATE SENATE
Monday, February 23, 2009

Senate Bill No. 1179
As Amended

SENATE BILL NO. 1179 - By: Marlatt of the Senate and Armes of the House.

[professions and occupations - Oklahoma Chiropractic Practice Act - effective date]

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

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

Section 161.7 A. 1. Applications for an original license by examination to practice chiropractic in this state shall be made to 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 practice chiropractic in this state or in another state, country, territory or province, and who are not related to or under financial obligations to the applicant, showing the applicant to be a person of good moral character.

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

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

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

12 B. Applicants for an original license to practice chiropractic
13 in this state shall submit to the Board of Chiropractic Examiners
14 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
17 or university whose credits are accepted by the University of
18 Oklahoma. For students enrolled in an accredited Doctor of
19 Chiropractic Degree Program on the effective date of this act, proof
20 of having earned a minimum of sixty (60) semester hours of college
21 credits at an institution for which credits are accepted by the
22 University of Oklahoma shall meet the requirements of this
23 paragraph;

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

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

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

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

18 D. An applicant for an original license shall provide full
19 disclosure to the Board of any disciplinary action taken against the
20 applicant in any state pursuant to licensure and/or criminal
21 proceedings including, but not limited to, pleading guilty or nolo
22 contendere to, or being convicted of, a felony, a misdemeanor

1 involving moral turpitude, or a violation of federal or state
2 controlled dangerous substance laws.

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

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

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

17 Section 161.9 A. Applications for an original license by
18 relocation of practice to practice chiropractic in this state shall
19 be made to the Board of Chiropractic Examiners in writing on a form
20 and in a manner prescribed by the Board. The application shall be
21 accompanied by a fee of ~~Three Hundred Dollars (\$300.00)~~ Three
22 Hundred Fifty Dollars (\$350.00), which shall not be refundable under
23 any circumstances. If the application is disapproved by the Board,

1 it shall be returned to the applicant with the reason for its
2 disapproval fully stated in writing.

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

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

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

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

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

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

21 6. That the applicant meets all other requirements of the
22 Oklahoma Chiropractic Practice Act.

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

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

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

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

13 a. pleading guilty, pleading nolo contendere or receiving
14 a conviction of a felony,

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

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

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

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

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

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN SERVICES, dated
6 2-19-09 - DO PASS, As Amended and Coauthored.