

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 681

6 By: Jolley

7 COMMITTEE SUBSTITUTE

8 [Board of Chiropractic Examiners - modifying fee
9 requirements - effective date - emergency]

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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 2, Chapter 388, O.S.L. 2008 (59 O.S. Supp.
15 2010, Section 161.11), is amended to read as follows:

16 Section 161.11. A. 1. Beginning ~~January 1, 2005~~ July 1, 2011:

- 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 July 1 of each year, a renewal
21 license fee of ~~Two Hundred Twenty five Dollars~~
22 ~~(\$225.00)~~ Two Hundred Fifty Dollars (\$250.00),
- 23 b. an inactive nonresident holding an original license to
24 practice chiropractic in Oklahoma and who has filed a

1 statement with the Board that the licensee is not
2 actively engaged in the practice of chiropractic in
3 this state and shall not engage in the practice of
4 chiropractic in this state during the succeeding
5 licensing year, shall pay to the Board, on or before
6 July 1 of each year, a renewal license fee of One
7 Hundred Seventy-five Dollars (\$175.00),

8 c. an inactive resident holding an original license to
9 practice chiropractic in Oklahoma, and who has filed,
10 or on whose behalf has been filed, a statement with
11 the Board that because of illness, infirmity, active
12 military service or other circumstances as approved by
13 the Board, the licensee is unable to actively engage
14 in the practice of chiropractic during the succeeding
15 licensing year, shall pay to the Board a renewal
16 license fee of ~~One Hundred Dollars (\$100.00)~~ One
17 Hundred Twenty-five Dollars (\$125.00), and

18 d. a person holding an original license, but who is
19 sixty-five (65) years of age or older and who has
20 filed a statement with the Board that the licensee is
21 not actively engaged in the practice of chiropractic
22 in this state and shall not engage in the practice of
23 chiropractic in this state during the succeeding year,
24

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~~ Every chiropractic
10 physician who is actively engaged in the practice of chiropractic in
11 this state shall submit to the Board with the license renewal form
12 and fee for the succeeding licensing year documentary evidence that
13 the chiropractor has malpractice insurance and maintains such
14 insurance twelve (12) months of each year when practicing in this
15 state. If the policy is renewed during the interim of such
16 licensing year, proof of the new policy period shall be submitted to
17 the Board upon such renewal. Any licensee who is not actively
18 engaged in practice in this state, shall be exempt from providing
19 proof of malpractice insurance.

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

1 C. The failure of a licensee to properly renew a license or
2 certificate shall be evidence of noncompliance with the Oklahoma
3 Chiropractic Practice Act.

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

7 2. If within sixty (60) calendar days after July 1 the licensee
8 pays the renewal fee, and the reinstatement fee set by the Board,
9 the license may be reactivated.

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

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

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

18 1. Payment of a reinstatement fee in an amount fixed by the
19 Board not to exceed ~~Four Hundred Dollars (\$400.00)~~ One Hundred Fifty
20 Dollars (\$150.00) per license year or Four Hundred Fifty Dollars
21 (\$450.00) total;

22 2. Payment of the renewal license fee for the calendar year in
23 which the original license is reinstated; and
24

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

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

7 1. Minimum and maximum administrative fines;

8 2. Periods of suspension, probation or supervision;

9 3. Terms and conditions of probation; and

10 4. Terms and conditions for the reinstatement of an original
11 license or renewal license, or both.

12 SECTION 2. This act shall become effective July 1, 2011.

13 SECTION 3. It being immediately necessary for the preservation
14 of the public peace, health and safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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