

1 ENGROSSED HOUSE  
2 BILL NO. 2308

By: Faught of the House

3 and

4 Coates of the Senate

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6  
7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2011, Section 161.6 (Section 2,  
9 Chapter 230, O.S.L. 2011), which relates to the  
10 Oklahoma Chiropractic Practice Act; modifying powers  
11 and duties of the Board; providing for temporary  
12 license; and providing an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 161.6  
15 (Section 2, Chapter 230, O.S.L. 2011), is amended to read as  
16 follows:

17 Section 161.6 A. Pursuant to and in compliance with Article I  
18 of the Administrative Procedures Act, the Board of Chiropractic  
19 Examiners shall have the power to formulate, adopt and promulgate  
20 rules as may be necessary to regulate the practice of chiropractic  
21 in this state and to implement and enforce the provisions of the  
22 Oklahoma Chiropractic Practice Act.

23 B. The Board is authorized and empowered to:

24 1. Establish and maintain a procedure or system for the  
certification or accreditation of chiropractic physicians who are

1 qualified in chiropractic post-doctorate Diplomate and all other  
2 chiropractic specialties;

3 2. Establish a registration system and adopt and enforce  
4 standards for the education and training of chiropractic physicians  
5 who engage in the business of issuing professional opinions on the  
6 condition, prognosis or treatment of a patient;

7 3. Adopt and enforce standards governing the professional  
8 conduct of chiropractic physicians, consistent with the provisions  
9 of the Oklahoma Chiropractic Practice Act, for the purpose of  
10 establishing and maintaining a high standard of honesty, dignity,  
11 integrity and proficiency in the profession;

12 4. Lease office space for the purpose of operating and  
13 maintaining a state office, and pay the rent thereon; provided,  
14 however, such state office shall not be located in or directly  
15 adjacent to the office of any practicing chiropractic physician;

16 5. Purchase office furniture, equipment and supplies;

17 6. Employ, direct, reimburse, evaluate, and dismiss such office  
18 personnel, as may be necessary, in accordance with state procedures;

19 7. Employ legal counsel, as needed, to represent the Board in  
20 all legal matters and to assist authorized state officers in  
21 prosecuting or restraining violations of the Oklahoma Chiropractic  
22 Practice Act, and pay the fees for such services;

23 8. Order or subpoena the attendance of witnesses, the  
24 inspection of records and premises and the production of relevant

1 books and papers for the investigation of matters that may come  
2 before the Board;

3 9. Employ one or more investigators, as needed, for the sole  
4 purpose of investigating written complaints regarding the conduct of  
5 chiropractic physicians, and fix and pay their salaries or wages;

6 10. Pay the costs of such research programs in chiropractic as  
7 in the determination of the Board would be beneficial to the  
8 chiropractic physicians in this state;

9 11. Establish minimum standards for continuing education  
10 programs administered by chiropractic associations pursuant to  
11 Section 161.11 of this title;

12 12. Make such other expenditures as may be necessary in the  
13 performance of its duties;

14 13. Establish appropriate fees and charges to implement the  
15 provisions of the Oklahoma Chiropractic Practice Act;

16 14. Establish policies for Board operations;

17 15. Determine and direct Board operating administrative,  
18 personnel and budget policies and procedures in accordance with  
19 applicable statutes;

20 16. Provide travel expenses for at least the Executive Director  
21 and provide travel expenses for members of the Board to attend an  
22 annual national conference. The Board shall give each member the  
23 opportunity to attend the annual national conference;

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1 17. Assess chiropractic applicants the cost for a criminal  
2 background check. The criminal background checks required by this  
3 section shall follow the requirements of Section 1-1950.1 of Title  
4 63 of the Oklahoma Statutes;

5 ~~18. Out-of-state licensed chiropractic physicians may travel~~  
6 ~~into Oklahoma to treat patients for special events, including but~~  
7 ~~not limited to sporting events and state emergencies within the~~  
8 ~~borders of Oklahoma after properly registering with the Board of~~  
9 ~~Chiropractic Examiners~~ Promulgate rules and set fees for a temporary  
10 license. A temporary license shall allow out-of-state licensed  
11 chiropractic physicians to:

- 12 a. assist licensed Oklahoma chiropractic physicians with  
13 their practice, and
- 14 b. treat patients at special events, including sporting  
15 events, and state emergencies as declared by the  
16 Governor; and

17 19. The Board of Chiropractic Examiners, by rule, shall  
18 promulgate a code of ethics.

19 C. The Board shall promulgate rules regarding continuing  
20 education seminars or courses or license renewal seminars or courses  
21 including, but not limited to, the qualifications of an applicant,  
22 association or entity seeking to sponsor a seminar or course, where  
23 the association or entity is domiciled, whether the association or  
24 entity is classified as a nonprofit organization, and the

1 educational experience of instructors applying to conduct a seminar  
2 or course. The Board shall also promulgate rules regarding  
3 certified chiropractic assistants.

4 D. 1. The Board shall appoint an Advisory Committee of a  
5 minimum of four and no more than six chiropractic physicians and one  
6 lay member representing the public who may advise and assist the  
7 Board in:

- 8 a. investigating the qualifications of applicants for an  
9 original license to practice chiropractic in this state,
- 10 b. investigating written complaints regarding the conduct  
11 of chiropractic physicians, including alleged violations  
12 of the Oklahoma Chiropractic Practice Act or of the  
13 rules of the Board, and
- 14 c. such other matters as the Board shall delegate to them.

15 2. The Advisory Committee shall be selected from a list of ten  
16 chiropractic physicians and three lay persons submitted by each  
17 chiropractic association or society in this state or any  
18 unaffiliated chiropractic physician desiring to submit a list. The  
19 term of service for members of the Advisory Committee shall be  
20 determined by the Board. Members of the Advisory Committee shall be  
21 reimbursed for all actual and necessary expenses incurred in the  
22 performance of their duties in accordance with the State Travel  
23 Reimbursement Act.

24 SECTION 2. This act shall become effective November 1, 2012.

