

By: Carona

S.B. No. 842

A BILL TO BE ENTITLED

AN ACT

relating to issuance of certain licenses by the Texas Board of  
Chiropractic Examiners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 201.309, Occupations Code, is amended to  
read as follows:

Sec. 201.309. LICENSE ISSUANCE TO CERTAIN OUT-OF-STATE  
APPLICANTS [~~PROVISIONAL LICENSE~~]. The board shall issue [~~(a) A~~  
~~person may apply for~~] a [~~provisional~~] license to practice  
chiropractic to an out-of-state applicant who:

(1) submits [~~by paying a fee and filing~~] a written  
application to [~~with~~] the board on a form prescribed by the board,  
accompanied by the application fee set by the board and any other  
information requested by the board;

(2) is [~~-~~

~~(b) An applicant for a provisional license must:~~

~~(1) be~~] licensed in good standing to practice  
chiropractic [~~for at least two years~~] in another state or foreign  
country that [~~-~~

~~(A)~~] has licensing requirements substantially  
equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action  
and is not the subject of a pending investigation in any  
jurisdiction in which the applicant is or has been licensed;

1           (4) has graduated from a chiropractic school  
2 accredited by the Council on Chiropractic Education and approved by  
3 rule by the board;

4           (5) has [~~and~~  
5                           ~~[(B) maintains professional standards considered~~  
6 ~~by the board to be equivalent to the standards provided by this~~  
7 ~~chapter;~~

8           ~~[(2) have]~~ passed a national or other examination  
9 recognized by the board relating to the practice of chiropractic;

10           (6) has passed the board's jurisprudence examination;

11           (7) has practiced chiropractic:

12                   (A) for at least the three years immediately  
13 preceding the date of the application under this section; or

14                   (B) as a chiropractic educator at a chiropractic  
15 school accredited by the Council on Chiropractic Education for at  
16 least the three years immediately preceding the date of the  
17 application under this section; and

18           (8) meets any other requirements adopted by rule

19           ~~[(3) be sponsored by a person licensed]~~ by the board  
20 under this chapter [~~with whom the provisional license holder may~~  
21 ~~practice chiropractic].~~

22           ~~[(c) An applicant is not required to comply with Subsection~~  
23 ~~(b)(3) if the board determines that compliance constitutes a~~  
24 ~~hardship to the applicant.~~

25           ~~[(d) An applicant for a provisional license must provide~~  
26 ~~with the application.~~

27           ~~[(1) a license or a certified copy of a license issued~~

1 ~~to the applicant after examination to practice chiropractic in~~  
2 ~~another state or foreign country; and~~

3 ~~[(2) an affidavit of the president or secretary of the~~  
4 ~~board of chiropractic examiners that issued the license, or of a~~  
5 ~~chiropractic registration officer of the other state or foreign~~  
6 ~~country, stating that:~~

7 ~~[(A) the accompanying license has not been~~  
8  ~~canceled or revoked; and~~

9 ~~[(B) the statements or qualifications contained~~  
10 ~~in the application for a chiropractic license in this state are~~  
11 ~~true.~~

12 ~~[(c) As a part of the application, the applicant shall~~  
13 ~~subscribe to an oath in writing before an officer authorized by law~~  
14 ~~to administer oaths stating that:~~

15 ~~[(1) the license under which the applicant practiced~~  
16 ~~chiropractic in another jurisdiction was in full force and not~~  
17 ~~suspended or canceled at the time the person moved from the area;~~

18 ~~[(2) the applicant is the person to whom the license~~  
19 ~~was issued;~~

20 ~~[(3) a proceeding has not been instituted against the~~  
21 ~~applicant for the cancellation of the license; and~~

22 ~~[(4) a proceeding is not pending against the applicant~~  
23 ~~in any state or federal court for an offense that would constitute a~~  
24 ~~felony in this state.~~

25 ~~[(f) A provisional license is valid until the date the board~~  
26 ~~approves or denies the provisional license holder's application for~~  
27 ~~a license under Section 201.310.]~~

1           SECTION 2. Subsection (b), Section 201.153, Occupations  
2 Code, is amended to read as follows:

3           (b) Each of the following fees imposed under Subsection (a)  
4 is increased by \$200:

5                   (1) the fee for an annual renewal of a license;

6                   (2) the fee for issuance of a [~~provisional~~] license to  
7 an out-of-state applicant;

8                   (3) the fee for an examination; and

9                   (4) the fee for a reexamination.

10          SECTION 3. Section 201.310, Occupations Code, is repealed.

11          SECTION 4. This Act takes effect September 1, 2003, and  
12 applies only to a license application filed with the Texas Board of  
13 Chiropractic Examiners on or after that date. A license  
14 application filed before that date is governed by the law in effect  
15 on the date that the application was filed, and the former law is  
16 continued in effect for that purpose.