

1-1 By: Carona S.B. No. 842
1-2 (In the Senate - Filed March 4, 2003; March 10, 2003, read
1-3 first time and referred to Committee on Health and Human Services;
1-4 April 9, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 0; April 9, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 842 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to issuance of certain licenses by the Texas Board of
1-11 Chiropractic Examiners.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 201.309, Occupations Code, is amended to
1-14 read as follows:

1-15 Sec. 201.309. LICENSE ISSUANCE TO CERTAIN OUT-OF-STATE
1-16 APPLICANTS [PROVISIONAL LICENSE]. The board shall issue ~~[(a)] A~~
1-17 ~~person may apply for~~ a [provisional] license to practice
1-18 chiropractic to an out-of-state applicant who:

1-19 (1) submits ~~[by paying a fee and filing]~~ a written
1-20 application to ~~[with]~~ the board on a form prescribed by the board,
1-21 accompanied by the application fee set by the board and any other
1-22 information requested by the board;

1-23 (2) is~~[-~~

1-24 ~~[(b) An applicant for a provisional license must:~~

1-25 ~~[(1) be] licensed in good standing to practice~~
1-26 chiropractic ~~[for at least two years]~~ in another state or foreign
1-27 country that~~[-~~

1-28 ~~[(A)] has licensing requirements substantially~~
1-29 equivalent to the requirements of this chapter;

1-30 (3) has not been the subject of a disciplinary action
1-31 and is not the subject of a pending investigation in any
1-32 jurisdiction in which the applicant is or has been licensed;

1-33 (4) has graduated from a chiropractic school
1-34 accredited by the Council on Chiropractic Education and approved by
1-35 rule by the board;

1-36 (5) has ~~[and~~

1-37 ~~[(B) maintains professional standards considered~~
1-38 by the board to be equivalent to the standards provided by this
1-39 chapter;

1-40 ~~[(2) have] passed a national or other examination~~
1-41 recognized by the board relating to the practice of chiropractic;

1-42 (6) has passed the board's jurisprudence examination;

1-43 (7) has practiced chiropractic:

1-44 (A) for at least the three years immediately
1-45 preceding the date of the application under this section; or

1-46 (B) as a chiropractic educator at a chiropractic
1-47 school accredited by the Council on Chiropractic Education for at
1-48 least the three years immediately preceding the date of the
1-49 application under this section; and

1-50 (8) meets any other requirements adopted by rule

1-51 ~~[(3) be sponsored by a person licensed] by the board~~
1-52 under this chapter ~~[with whom the provisional license holder may~~
1-53 practice chiropractic].

1-54 ~~[(c) An applicant is not required to comply with Subsection~~
1-55 ~~(b)(3) if the board determines that compliance constitutes a~~
1-56 hardship to the applicant.

1-57 ~~[(d) An applicant for a provisional license must provide~~
1-58 with the application:

1-59 ~~[(1) a license or a certified copy of a license issued~~
1-60 to the applicant after examination to practice chiropractic in
1-61 another state or foreign country; and

1-62 ~~[(2) an affidavit of the president or secretary of the~~
1-63 board of chiropractic examiners that issued the license, or of a

2-1 ~~chiropractic registration officer of the other state or foreign~~
2-2 ~~country, stating that:~~

2-3 ~~[(A) the accompanying license has not been~~
2-4 ~~canceled or revoked; and~~

2-5 ~~[(B) the statements or qualifications contained~~
2-6 ~~in the application for a chiropractic license in this state are~~
2-7 ~~true.~~

2-8 ~~[(c) As a part of the application, the applicant shall~~
2-9 ~~subscribe to an oath in writing before an officer authorized by law~~
2-10 ~~to administer oaths stating that:~~

2-11 ~~[(1) the license under which the applicant practiced~~
2-12 ~~chiropractic in another jurisdiction was in full force and not~~
2-13 ~~suspended or canceled at the time the person moved from the area;~~

2-14 ~~[(2) the applicant is the person to whom the license~~
2-15 ~~was issued;~~

2-16 ~~[(3) a proceeding has not been instituted against the~~
2-17 ~~applicant for the cancellation of the license; and~~

2-18 ~~[(4) a proceeding is not pending against the applicant~~
2-19 ~~in any state or federal court for an offense that would constitute a~~
2-20 ~~felony in this state.~~

2-21 ~~[(f) A provisional license is valid until the date the board~~
2-22 ~~approves or denies the provisional license holder's application for~~
2-23 ~~a license under Section 201.310.]~~

2-24 SECTION 2. Subsection (b), Section 201.153, Occupations
2-25 Code, is amended to read as follows:

2-26 (b) Each of the following fees imposed under Subsection (a)
2-27 is increased by \$200:

2-28 (1) the fee for an annual renewal of a license;

2-29 (2) the fee for issuance of a ~~[provisional]~~ license to
2-30 an out-of-state applicant;

2-31 (3) the fee for an examination; and

2-32 (4) the fee for a reexamination.

2-33 SECTION 3. Section 201.310, Occupations Code, is repealed.

2-34 SECTION 4. This Act takes effect September 1, 2003, and
2-35 applies only to a license application filed with the Texas Board of
2-36 Chiropractic Examiners on or after that date. A license
2-37 application filed before that date is governed by the law in effect
2-38 on the date that the application was filed, and the former law is
2-39 continued in effect for that purpose.

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