

By: Legler, Anchia, Smith of Harris, et al.

H.B. No. 3450

Substitute the following for H.B. No. 3450:

By: Naishtat

C.S.H.B. No. 3450

A BILL TO BE ENTITLED

AN ACT

relating to a temporary faculty license for chiropractic faculty.

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

SECTION 1. Section 201.308, Occupations Code, is amended by adding Subsections (c) through (n) to read as follows:

(c) The board may issue a temporary faculty license to practice chiropractic to a person as provided by this section. The person:

(1) must hold a current chiropractic license that is unrestricted and not subject to a disciplinary order or probation in another state or a Canadian province;

(2) may not hold a chiropractic license in another state or a Canadian province that has any restrictions, disciplinary orders, or probation;

(3) must pass the examination required under Section 201.304(a)(2);

(4) must have been engaged in the practice of chiropractic:

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

(B) as a chiropractic educator in a doctor of chiropractic degree program accredited by the Council on Chiropractic Education for at least the three years preceding the date of the application under this section; and

1           (5) must hold a salaried faculty position of at least  
2 the level of assistant professor and be working full-time at:

3                   (A) Parker College of Chiropractic; or

4                   (B) Texas Chiropractic College.

5           (d) A person is eligible for a temporary license under  
6 Subsection (c) if the person holds a faculty position of at least  
7 the level of assistant professor, the person works at least  
8 part-time at an institution listed in Subsection (c)(5), and:

9                   (1) the person is on active duty in the United States  
10 armed forces; and

11                   (2) the person's practice under the temporary license  
12 will fulfill critical needs of the citizens of this state.

13           (e) A chiropractor who is issued a temporary license under  
14 Subsection (c) must sign an oath on a form prescribed by the board  
15 swearing that the person:

16                   (1) has read and is familiar with this chapter and  
17 board rules;

18                   (2) will abide by the requirements of this chapter and  
19 board rules while practicing under the chiropractor's temporary  
20 license; and

21                   (3) will be subject to the disciplinary procedures of  
22 the board.

23           (f) A chiropractor holding a temporary license under  
24 Subsection (c) and the chiropractor's chiropractic school must file  
25 affidavits with the board affirming acceptance of the terms and  
26 limits imposed by the board on the chiropractic activities of the  
27 chiropractor.

1       (g) A temporary license issued under Subsection (c) is valid  
2 for one year.

3       (h) The holder of a temporary license issued under  
4 Subsection (c) is limited to the teaching confines of the applying  
5 chiropractic school as a part of the chiropractor's duties and  
6 responsibilities assigned by the program and may not practice  
7 chiropractic outside of the setting of the chiropractic school or  
8 an affiliate of the chiropractic school.

9       (i) The application for a temporary license under  
10 Subsection (c) must be made by the chiropractic school in which the  
11 chiropractor teaches and must contain the information and  
12 documentation requested by the board. The application must be  
13 endorsed by the dean of the chiropractic school or the president of  
14 the institution.

15       (j) A chiropractor who holds a temporary license issued  
16 under Subsection (c) and who wishes to receive a permanent  
17 unrestricted license must meet the requirements for issuance of a  
18 permanent unrestricted license, including any examination  
19 requirements.

20       (k) The board shall adopt:

21               (1) rules governing the issuance of a renewal  
22 temporary faculty license, including a rule that permits a person  
23 licensed under Subsection (c) to continue teaching while an  
24 application for a renewal temporary license is pending;

25               (2) fees for the issuance of a temporary license and a  
26 renewal temporary license; and

27               (3) an application form for temporary licenses and

1 renewal temporary licenses to be issued under this section.

2 (1) The fee for a renewal temporary license issued under  
3 Subsection (k)(1) must be less than the amount of the fee for a  
4 temporary license issued under Subsection (c).

5 (m) A chiropractic school shall notify the board not later  
6 than 72 hours after the time:

7 (1) except as provided by Subdivision (2), a  
8 chiropractor licensed under Subsection (c) ceases to hold a  
9 full-time salaried position of at least the level of assistant  
10 professor at the school; and

11 (2) a chiropractor described by Subsection (d) ceases  
12 to hold a part-time salaried position of at least the level of  
13 assistant professor at the school.

14 (n) The board shall revoke a license issued under this  
15 section if the license holder no longer satisfies the requirements  
16 of this section.

17 SECTION 2. Not later than January 1, 2010, the Texas Board  
18 of Chiropractic Examiners shall adopt rules, fees, and forms as  
19 required by Section 201.308, Occupations Code, as amended by this  
20 Act.

21 SECTION 3. This Act takes effect September 1, 2009.