

1-1 By: Legler, et al. (Senate Sponsor - Jackson) H.B. No. 3450
1-2 (In the Senate - Received from the House May 4, 2009;
1-3 May 12, 2009, read first time and referred to Committee on
1-4 Administration; May 20, 2009, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to a temporary faculty license for chiropractic faculty.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 201.308, Occupations Code, is amended by
1-11 adding Subsections (c) through (n) to read as follows:

1-12 (c) The board may issue a temporary faculty license to
1-13 practice chiropractic to a person as provided by this section. The
1-14 person:

1-15 (1) must hold a current chiropractic license that is
1-16 unrestricted and not subject to a disciplinary order or probation
1-17 in another state or a Canadian province;

1-18 (2) may not hold a chiropractic license in another
1-19 state or a Canadian province that has any restrictions,
1-20 disciplinary orders, or probation;

1-21 (3) must pass the examination required under Section
1-22 201.304(a)(2);

1-23 (4) must have been engaged in the practice of
1-24 chiropractic:

1-25 (A) for at least the three years preceding the
1-26 date of the application under this section; or

1-27 (B) as a chiropractic educator in a doctor of
1-28 chiropractic degree program accredited by the Council on
1-29 Chiropractic Education for at least the three years preceding the
1-30 date of the application under this section; and

1-31 (5) must hold a salaried faculty position of at least
1-32 the level of assistant professor and be working full-time at:

1-33 (A) Parker College of Chiropractic; or

1-34 (B) Texas Chiropractic College.

1-35 (d) A person is eligible for a temporary license under
1-36 Subsection (c) if the person holds a faculty position of at least
1-37 the level of assistant professor, the person works at least
1-38 part-time at an institution listed in Subsection (c)(5), and:

1-39 (1) the person is on active duty in the United States
1-40 armed forces; and

1-41 (2) the person's practice under the temporary license
1-42 will fulfill critical needs of the citizens of this state.

1-43 (e) A chiropractor who is issued a temporary license under
1-44 Subsection (c) must sign an oath on a form prescribed by the board
1-45 swearing that the person:

1-46 (1) has read and is familiar with this chapter and
1-47 board rules;

1-48 (2) will abide by the requirements of this chapter and
1-49 board rules while practicing under the chiropractor's temporary
1-50 license; and

1-51 (3) will be subject to the disciplinary procedures of
1-52 the board.

1-53 (f) A chiropractor holding a temporary license under
1-54 Subsection (c) and the chiropractor's chiropractic school must file
1-55 affidavits with the board affirming acceptance of the terms and
1-56 limits imposed by the board on the chiropractic activities of the
1-57 chiropractor.

1-58 (g) A temporary license issued under Subsection (c) is valid
1-59 for one year.

1-60 (h) The holder of a temporary license issued under
1-61 Subsection (c) is limited to the teaching confines of the applying
1-62 chiropractic school as a part of the chiropractor's duties and
1-63 responsibilities assigned by the program and may not practice
1-64 chiropractic outside of the setting of the chiropractic school or

2-1 an affiliate of the chiropractic school.

2-2 (i) The application for a temporary license under
2-3 Subsection (c) must be made by the chiropractic school in which the
2-4 chiropractor teaches and must contain the information and
2-5 documentation requested by the board. The application must be
2-6 endorsed by the dean of the chiropractic school or the president of
2-7 the institution.

2-8 (j) A chiropractor who holds a temporary license issued
2-9 under Subsection (c) and who wishes to receive a permanent
2-10 unrestricted license must meet the requirements for issuance of a
2-11 permanent unrestricted license, including any examination
2-12 requirements.

2-13 (k) The board shall adopt:

2-14 (1) rules governing the issuance of a renewal
2-15 temporary faculty license, including a rule that permits a person
2-16 licensed under Subsection (c) to continue teaching while an
2-17 application for a renewal temporary license is pending;

2-18 (2) fees for the issuance of a temporary license and a
2-19 renewal temporary license; and

2-20 (3) an application form for temporary licenses and
2-21 renewal temporary licenses to be issued under this section.

2-22 (l) The fee for a renewal temporary license issued under
2-23 Subsection (k)(1) must be less than the amount of the fee for a
2-24 temporary license issued under Subsection (c).

2-25 (m) A chiropractic school shall notify the board not later
2-26 than 72 hours after the time:

2-27 (1) except as provided by Subdivision (2), a
2-28 chiropractor licensed under Subsection (c) ceases to hold a
2-29 full-time salaried position of at least the level of assistant
2-30 professor at the school; and

2-31 (2) a chiropractor described by Subsection (d) ceases
2-32 to hold a part-time salaried position of at least the level of
2-33 assistant professor at the school.

2-34 (n) The board shall revoke a license issued under this
2-35 section if the license holder no longer satisfies the requirements
2-36 of this section.

2-37 SECTION 2. Not later than January 1, 2010, the Texas Board
2-38 of Chiropractic Examiners shall adopt rules, fees, and forms as
2-39 required by Section 201.308, Occupations Code, as amended by this
2-40 Act.

2-41 SECTION 3. This Act takes effect September 1, 2009.

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