

# CHAPTER 10. LICENSURE OF CHIROPRACTIC PHYSICIANS

## SUBCHAPTER 1. GENERAL PROVISIONS

### 140:10-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise. In addition, the use of the masculine gender shall be deemed inclusive in this chapter to include the feminine gender.

**"Accredited chiropractic college"** means a chiropractic educational institution which is accredited by the Commission on Accreditation of the Council on Chiropractic Education, a national, independent accreditation body recognized and approved by the U.S. Department of Education.

**"Act"** means the Oklahoma Chiropractic Practice Act, 59 O.S. 1991, §§161.1 et seq.

**"Advisory Committee"** means the committee appointed by the Board to advise and assist the Board in the investigation of the qualifications for licensure, complaints as to the conduct of chiropractic physicians, and for such other matters as the Board delegates to them.

**"Board"** means the Board of Chiropractic Examiners.

**"Chiropractic"** means the science and art that teaches health in anatomic relation and disease or abnormality in anatomic disrelation, and includes hygienic, sanitary and therapeutic measures incident thereto.

**"Chiropractic physician"** or **"licensee"** means a person who holds an original license to practice chiropractic in this state.

**"Continuing education requirements"** means attendance by a licensee at a minimum of sixteen (16) hours of Chiropractic education seminars as required for a renewal license.

(A) Twelve (12) hours of the sixteen required by law must be clinical in nature, and the other remaining four (4) may consist of practice management, philosophy, and or other non-clinical topics.

(B) Eight (8) hours of continuing education may be acquired out of state with first having obtained a pre-approval from the Board of Chiropractic Examiners. Eight (8) hours of continuing education can be obtained by attending a national chiropractic association meeting and/or the Federation of Chiropractic Licensing Boards Annual or Federation of Chiropractic Licensing Boards' District meetings attended by any licensee.

(C) Eight (8) hours of mandatory in state continuing education shall be acquired by attending continuing education offered by an registered, domestic Oklahoma association and/or an accredited chiropractic college as

defined in Title 59 O.S. 161.3 whose seminar has been approved by the Board of Chiropractic Examiners.

**"Examination"** means the process used by the Board, prior to the issuance of any original license, to test the qualifications and knowledge of an applicant on any or all of the following: current statutes, rules, or any of those subjects listed in Section 161.8 of the Act.

**"Individual proceeding"** means the formal process employed by the Board to provide a hearing for a licensee of the Board accused of a violation of the Act and in which the Board may take action against such person's original license to practice chiropractic in this state.

**"License renewal program"** means a continuing education program which:

(A) is sponsored or administered by a state or national chiropractic association or accredited chiropractic college for the purpose of providing licensees an opportunity to satisfy continuing education requirements; and

(B) has been approved by the Board.

**"Licensure"** means the Board's process with respect to the grant, denial, renewal, revocation, or suspension of an original or renewal license.

**"Original license"** means a license which grants initial authorization to practice chiropractic in this state issued by the Board to an applicant found by the Board to meet the requirements for licensure of the Act:

(A) by examination pursuant to § 161.7 and 161.8 of the Act and 140:10-3-1 through 140:10-3-4 or

(B) by relocation of practice pursuant to § 161.9 of the Act and 140:10-3-5.

**"Relocation of practice"** means the ability of an applicant to obtain an Oklahoma chiropractic license who satisfies all of the following conditions:

(A) The requirements for licensure in the state, country, territory or province in which the applicant is licensed are deemed by the Board to be equivalent to the requirements for obtaining an original Oklahoma chiropractic license by examination;

(B) The applicant has no disciplinary matters pending against him or her in any state, country, territory or province;

(C) The license held prior to relocation of practice was obtained by examination in the state, country, territory or province wherein it was issued, or was obtained by examination of the National Board of Chiropractic Examiners;

(D) The applicant passes any examination offered by the Board according to 140:10-3-1; and

(E) The applicant meets all other requirements of the Oklahoma Chiropractic Practice Act.

**"Renewal license"** means a license issued by the Board on or before the first day of July of each year to a licensee which authorizes the licensee to practice chiropractic in this state for the succeeding calendar year.

**"Revocation"** means the recalling, annulling or rendering inoperative of an original license or renewal license, or both, by the Board, after notice and an opportunity for a hearing in an individual proceeding.

## **SUBCHAPTER 5. PROCEDURES FOR RENEWAL LICENSES**

### **140:10-5-2. License renewal program approval**

~~(a) Applications to provide continuing education seminars shall be submitted for review and approval by the Board of Chiropractic Examiners. Approval of programs to be offered to satisfy license renewal provisions of the Subchapter is vested solely in the Board. No program shall be offered, advertised or marketed for the purpose of license renewal prior to being approved by the Board.~~

~~(b) Prior to approval of an application, the Board may authorize the Executive Director to temporarily approve applications, or amendments to an application, pursuant to the requirements specified by Title 59 Section 161.10(a). Continuing education credits may only be counted for seminars receiving final Board approval. It shall be the duty of the Board to review and consider for approval, during a meeting of the Board, every application from a chiropractic association, accredited chiropractic college or other entity which desires to present a continuing chiropractic education program required for license renewal.~~

~~(c) The Board shall maintain a list of all applicants that notify the Board of an intent to present a continuing chiropractic education program for license renewal. It shall be the duty of each applicant to inform the Board of any change of address or name.~~

~~(c)(d) All applications to present continuing chiropractic program must be submitted at least ninety (90) calendar days prior to said education programs being presented. Each application must contain the qualifications of the applicant, association or entity seeking to sponsor the program, the state of domicile, the classification of the applicant as "profit" or "nonprofit", and the educational experience of the instructors conducting the program.~~

~~(d)(e) The board shall create and approve an application form. An applicant association or accredited chiropractic college shall submit a separate application for each program it wishes to present.~~

~~(e)(f) All continuing education applications will be assigned by the Executive Director to a member of the education review committee. The member will review the continuing education application to ensure that the course meets the requirements set forth in the Practice Act. Once reviewed and approved by the committee member, the Executive Director will issue a temporary approval of the continuing education program. The board in its discretion, may refer the application to the~~

~~Advisory Committee or the Executive Director for review and/or information gathering.~~

~~(g) During the meeting provided for in paragraph (b) of this Section, each applicant, shall be given the opportunity to make an oral presentation of no more than fifteen (15) minutes for each application to provide the Board with any additional relevant information for such program. The board may request additional information regarding the application.~~

~~(f)(h) The board shall consider, among other relevant factors, the content of the program and the cost by for a chiropractic physician to attend the program. The Board shall not approve programs which do not present a program of a chiropractic nature; provided no program shall be approved which is used primarily as a sales promotion for the entity which presents the program or any speaker who presents any part of a program or at which products or services related to the programs are offered for sale.~~

~~(i) At the conclusion of all presentations and during the same meeting, the board shall announce individually the approval or denial of the application to present a continuing chiropractic program. The Board shall state the specific reason or reasons for the denial of any application.~~

~~(g)(j) All programs approved by the Board shall be open to all persons.~~

### **140:10-5-3. Revocation or suspension of license; reinstatement**

(a) In the event that a licensee fails to obtain a renewal license on or before the first day of July of each year, the original license of such licensee shall lapse or be suspended as provided for at Section 161.11 of Title 59 of the Oklahoma Statutes. The Board may reinstate the original license of such person upon the payment of all fees due, plus a penalty fee in the amount provided for in the Board's fee schedule, and upon presentation to the Board of satisfactory evidence of compliance with the continuing education requirements and any other education or training which the Board, in its discretion, deems necessary. The licensee shall submit a reinstatement fee not to exceed Four Hundred Dollars (\$400.00).

(b) If the Board receives notice from the Oklahoma Tax Commission that a licensee is not compliant with the Oklahoma income tax law pursuant to Section 238.1 of Title 68 of the Oklahoma Statutes, the license of that physician shall not be renewed but shall automatically be suspended pursuant to Section 161.11 of the Act. The suspension shall begin July 1 of the renewal year and shall not be lifted until:

- (1) the Board receives notice from the Oklahoma Tax Commission that the license has come into compliance with Oklahoma income tax law; and
- (2) the licensee has paid a reinstatement fee not to exceed Four Hundred Dollars \$400.00.

