

## **BILL ANALYSIS**

Senate Research Center  
76R9466 MXM-F

H.B. 2175  
By: Uher (Armbrister)  
Health Services  
5/10/1999  
Engrossed

### **DIGEST**

Currently, under Texas law, the Texas Board of Chiropractic Examiners (board) is required to keep a written record of its proceedings, as well as all information on each applicant, and to file that record with the secretary of the state, rather than to simply keep vital information on each applicant on file. This bill would remove the requirement that the board submit a record of its proceedings with certain information about each applicant to the secretary of the state, and deletes the criminal penalty for practicing without a license and instead provides for an injunctive proceeding or civil proceeding.

### **PURPOSE**

As proposed, H.B. 2175 removes the requirement that the Texas Board of Chiropractic Examiners submit a record of its proceedings with certain information about each applicant to the secretary of the state, and deletes the criminal penalty for practicing without a license and instead provides for an injunctive proceeding or civil proceeding.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 5, Article 4512b, V.T.C.S., to require the Texas Board of Chiropractic Examiners (board) to maintain records regarding each person licensed or registered with the board. Requires the records to include certain information. Deletes text requiring the board to preserve a record of its proceedings with certain information about each applicant, and requiring the filing of the register with the secretary of state.

SECTION 2. Amends Section 5a(c), Article 4512b, V.T.C.S., to require the board to bring an action for injunctive proceedings or other civil proceedings as necessary to enforce this Act. Deletes text providing that a person who violates this section commits a Class A misdemeanor offense, or a third degree felony under certain circumstances.

SECTION 3. Repealer: Sections 19 and 19a, Article 4512b, V.T.C.S. (Punishment for Violations); (Administrative and Civil Penalties; Payment).

SECTION 4. (a) Provides that the remedy for an offense or violation under Section 5a(c), 19, or 19a, Article 4512b, V.T.C.S., regardless of whether the offense or violation is committed before, on, or after the effective date of this Act, is the remedy provided by Section 5a(c), Article 4512b, V.T.C.S.

(b) Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.