

## **BILL ANALYSIS**

Senate Research Center  
81R18047 JAM-D

C.S.S.B. 1954  
By: Jackson, Mike  
Health & Human Services  
4/16/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Medical Board has the ability to issue temporary faculty licenses for doctors who are licensed in other states and wish to teach at a medical school in Texas. The same privilege has not been extended to the Texas Board of Chiropractic Examiners in relation to chiropractors hired as faculty at one of Texas' two chiropractic colleges.

C.S.S.B. 1954 amends current law relating to a temporary faculty license for chiropractic faculty.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Board of Chiropractic Examiners in SECTION 1 (Section 201.308, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 201.308, Occupations Code, by adding Subsections (c) through (n), as follows:

(c) Authorizes the Texas Board of Chiropractic Examiners (TBCE) to issue a faculty temporary license to practice chiropractic to a person as provided by this section. Sets forth the required conditions to be eligible for such licensure.

(d) Provides that a person is eligible for a temporary license under Subsection (c) if the person holds a faculty position of at least the level of assistant professor, works at least part-time at an institution listed in Subsection (c)(5) (relating to Parker College of Chiropractic and Texas Chiropractic College), the person is on active duty in the United States armed forces, and the person's practice under the temporary license will fulfill critical needs of the citizens of this state.

(e) Requires a chiropractor who is issued a temporary license under Subsection (c) to sign an oath on a form prescribed by TBCE swearing that the person has met certain requirements.

(f) Requires a chiropractor holding a temporary license under Subsection (c) and the chiropractor's chiropractic school to file affidavits with TBCE affirming acceptance of the terms and limits imposed by the board on the chiropractic activities of the chiropractor.

(g) Provides that a temporary license issued under Subsection (c) is valid for one year.

(h) Provides that the holder of a temporary license issued under Subsection (c) is limited to the teaching confines of the applying chiropractic school as a part of the chiropractor's duties and responsibilities assigned by the program. Prohibits the holder of a temporary license issued under Subsection (c) from practicing chiropractic outside of the setting of the chiropractic school or an affiliate of the chiropractic school.

(i) Requires that the application for a temporary license under Subsection (c) be made by the chiropractic school in which the chiropractor teaches and contain the information and documentation requested by TBCE. Requires that the application be endorsed by the dean of the chiropractic school or the president of the institution.

(j) Requires a chiropractor who holds a temporary license issued under Subsection (c) and who wishes to receive a permanent unrestricted license to meet the requirements for issuance of a permanent unrestricted license, including any examination requirements.

(k) Requires TBCE to adopt rules governing the issuance of a renewal temporary faculty license, including a rule that permits a person licensed under Subsection (c) to continue teaching while an application for a renewal temporary license is pending; fees for the issuance of a temporary license and a renewal temporary license; and an application form for temporary licenses and renewal temporary licenses be issued under this section.

(l) Requires that the fee for a renewal temporary license issued under Subsection (k)(1) (relating to requiring TBCE to adopt certain rules) be less than the amount of the fee for a temporary license issued under Subsection (c).

(m) Requires a chiropractic school to notify TBCE not later than 72 hours after the time except as provided by Subdivision (2) (relating to the requirement that TBCE revoke a license under certain circumstances), a chiropractor licensed under Subsection (c) ceases to hold a full-time salaried position of at least the level of assistant professor at the school; and a chiropractor described by Subsection (d) ceases to hold a part-time salaried position of at least the level of assistant professor at the school.

(n) Requires TBCE to revoke a license issued under this section if the license holder no longer satisfies the requirements of this section.

SECTION 2. Requires TBCE, not later than January 1, 2010, to adopt rules, fees, and forms as required by Section 201.308, Occupations Code, as amended by this Act.

SECTION 3. Effective date: September 1, 2009.