

1 HB107
2 172525-2
3 By Representative Davis
4 RFD: Boards, Agencies and Commissions
5 First Read: 03-FEB-16

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8 SYNOPSIS: Under existing law, a licensed chiropractor
9 is required to have a minimum of 18 hours of
10 continuing education during the preceding year.

11 This bill would specify that a licensed
12 chiropractor would be required to complete the
13 number of approved hours of continuing education as
14 required by rule of the board and would specify
15 that continuing education hours may be carried
16 forward and used for license renewal for one year.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 To amend Section 34-24-165, Code of Alabama 1975, as
23 amended by Act 2015-275 of the 2015 Regular Session, relating
24 to the licensing of the practice of chiropractic; to further
25 provide for the continuing education requirement for the
26 license renewal of a licensed chiropractor.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 34-24-165, Code of Alabama 1975,
2 as amended by Act 2015-275 of the 2015 Regular Session, is
3 amended to read as follows:

4 "§34-24-165.

5 "(a) Every license to practice chiropractic or
6 permit to own a chiropractic practice shall be subject to
7 renewal on September 30 of the year for which it is issued
8 with a grace period from October 1 to December 31 of each
9 year. Every person having a valid license or permit may on or
10 before September 30 renew the license or permit for the
11 ensuing year by the payment to the State Board of Chiropractic
12 Examiners of a fee of not more than four hundred dollars
13 (\$400), the exact amount to be fixed by rule of the board,
14 adopted in accordance with the Alabama Administrative
15 Procedure Act, subject to the condition that no increase or
16 decrease in any one year shall exceed twenty-five dollars
17 (\$25). ~~The license renewal shall be accompanied by~~
18 ~~satisfactory evidence that the person has completed during the~~
19 ~~preceding year a minimum of 18 hours of professional~~
20 ~~educational work approved by the board.~~ As a condition of
21 renewal, the licensee shall submit evidence of completion of
22 an amount of approved continuing education hours determined by
23 rule of the board. A licensee who in any year obtains hours in
24 excess of the amount required for renewal for that year may
25 carryover the additional hours to the end of the next license
26 renewal period and the hours may be used to meet the
27 continuing education requirements for the next license renewal

1 period. The permit renewal shall be accompanied by
2 satisfactory evidence that the primary permit holder has
3 completed the number of approved continuing education hours in
4 the manner set forth and required by rule of the board. The
5 board, for good and reasonable cause shown, may waive the
6 education requirement. The secretary-treasurer or the
7 executive director of the board shall notify each licensee or
8 permit holder at least 30 days prior to September 30 of each
9 year of the due date for renewal. In addition to the renewal
10 fee, a late renewal penalty shall be assessed any licensee or
11 permit holder who fails to pay the renewal fee by September 30
12 of each year based on the following schedule:

13 "(1) For renewal during the month of October, one
14 hundred dollars (\$100).

15 "(2) For renewal during the month of November, two
16 hundred dollars (\$200).

17 "(3) For renewal during the month of December, three
18 hundred dollars (\$300).

19 "A chiropractor may continue to practice or a permit
20 holder may continue to own a chiropractic practice until
21 December 31 of the year for which a license or permit is
22 issued subject to subsection (b).

23 "(b) Any license issued pursuant to this chapter
24 shall be automatically suspended if not renewed on or before
25 January 1. Any chiropractor whose license is automatically
26 suspended shall be reinstated if all conditions for renewal
27 have been satisfied and upon payment of a reinstatement fee on

1 or before January 31. Any chiropractor who seeks reinstatement
2 due to nonrenewal after the above time shall comply with
3 Section 34-24-176.

4 "(c) Any licensee who is no longer in active
5 practice may apply for retirement of his or her license by
6 submitting an affidavit to that effect on a form supplied by
7 the executive director. A licensee whose license is retired is
8 excused from the professional education requirement specified
9 in this article. The annual fee for maintenance of a retired
10 license may not be more than one-half of the amount required
11 by this article for an active license. Any license issued
12 pursuant to this section shall be automatically suspended if
13 not renewed on or before January 1. Any chiropractor whose
14 license is automatically suspended shall be reinstated if all
15 conditions for renewal have been satisfied and upon payment of
16 a reinstatement fee on or before January 31. Any chiropractor
17 who seeks reinstatement due to nonrenewal after the above time
18 shall comply with Section 34-24-176.

19 "(d) The board may waive or reduce annual
20 registration and the payment of fees while any licensee is
21 prevented from practicing chiropractic by reason of physical
22 disability, temporary active duty with any of the Armed Forces
23 of the United States, or while any licensee is completely
24 retired from the practice of chiropractic. The waiver of fees
25 shall be effective so long as the disability, temporary active
26 duty, or complete retirement continues.

1 "(e) The State Board of Chiropractic Examiners shall
2 make rules and regulations as necessary and proper for
3 effectuating or enforcing this article.

4 "(f) In addition to other requirements established
5 by law and for the purpose of determining suitability for
6 reinstatement of a license to practice chiropractic, each
7 individual seeking reinstatement shall submit a complete set
8 of fingerprints to the State Board of Chiropractic Examiners
9 and the board shall submit the fingerprints provided by any
10 such individual to the State Bureau of Investigations. The
11 fingerprints shall be forwarded by the State Bureau of
12 Investigations to the Federal Bureau of Investigation (FBI)
13 for a national criminal history record check. Costs associated
14 with conducting a criminal history background check shall be
15 borne by the individual seeking reinstatement. The State Board
16 of Chiropractic Examiners shall keep information received
17 pursuant to this section confidential, except that such
18 information received and relied upon in denying reinstatement
19 may be disclosed as may be necessary to support the denial. In
20 addition to other requirements established by law and for the
21 purposes of determining suitability for renewal, the board, in
22 its discretion, may require an individual seeking renewal of a
23 license to practice chiropractic to submit a complete set of
24 fingerprints to the State Board of Chiropractic Examiners. The
25 board shall submit the fingerprints provided by any such
26 individual to the State Bureau of Investigations. The
27 fingerprints shall be forwarded by the State Bureau of

1 Investigations to the FBI for a national criminal history
2 record check. Costs associated with conducting a criminal
3 history background check shall be borne by the individual
4 seeking renewal. The State Board of Chiropractic Examiners
5 shall keep information received pursuant to this section
6 confidential, except that such information received and relied
7 upon in denying renewal may be disclosed as may be necessary
8 to support the denial. This requirement also shall apply in
9 the same manner to any person who is not licensed as a
10 chiropractor who applies for reinstatement or renewal of his
11 or her permit pursuant to Section 34-24-123(b).

12 "(g) The board shall also establish an inactive
13 license for persons who desire to be licensed in Alabama but
14 who actually practice in another state. The annual fee for
15 maintenance of an inactive license shall be one-half of the
16 amount required by this section for an active license."

17 Section 2. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.