

- SUBJECT:** Requiring separate registration of chiropractic facilities
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 9 ayes — Capelo, Laubenberg, Truitt, Coleman, Dawson, McReynolds, Naishtat, Taylor, Zedler
0 nays
- SENATE VOTE:** On final passage, May 19 — voice vote
- WITNESSES:** No public hearing
- BACKGROUND:** Occupations Code, sec. 201.312 provides for the issuance of one facility license to an owner of a chiropractic facility for each chiropractic facility owned by the owner. Currently, a facility owner need register only once, even though he or she may own multiple facilities. An advantage of registering each chiropractic facility separately would be that if one facility happened to fall behind with the annual registration, other facilities with the same owner would not be affected.
- A recent lawsuit between the Texas Board of Chiropractic Examiners and the Texas Chiropractic Association involved a chiropractor's personal license being penalized because of an issue with the facility.
- DIGEST:** SB 1062 would require the Board of Chiropractic Examiners by rule to adopt requirements for registering chiropractic facilities as necessary to protect the public health, safety, and welfare. The rules would have to:
- specify registration requirements for a chiropractic facility;
 - prescribe standards for the registration program;
 - provide for the issuance of a separate certificate of registration to an owner of a chiropractic facility for each facility owned; and
 - provide for the board to notify an owner of a chiropractic facility and each chiropractor practicing in the facility of the impending expiration of the facility's certificate of registration before the expiration of the certificate.

The registration standards would have to be consistent with industry standards for the practice of chiropractic.

To register a chiropractic facility, the owner would have to file with the board a written application for registration and pay a registration fee in an amount set by the board, not to exceed \$75. The board could issue a certificate of registration only to a facility that complied with these requirements. A certificate of registration would have to be renewed annually. To renew the certificate, the certificate holder would have to apply to the board and pay an annual fee in the same amount as the registration fee.

A person licensed to practice chiropractic in Texas would be subject to disciplinary action if the person practiced in a chiropractic facility that the person knew was not registered. By January 1, 2004, the board would have to adopt rules specifying the maximum amount of sanctions that could be assessed against a chiropractor for such a violation. A facility owner who violated the bill's provisions or related rules would be subject to disciplinary action by the board in the same manner as a license holder who violated the licensing statute or a related rule.

The bill would take effect September 1, 2003.