

- SUBJECT:** Allowing a temporary faculty license for chiropractic faculty
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 11 ayes — Kolkhorst, Naishtat, Coleman, J. Davis, Gonzales, Hopson, S. King, Laubenberg, McReynolds, Truitt, Zerwas  
0 nays
- WITNESSES:** For — Deborah Ingersoll, Texas Chiropractic College; (*Registered, but did not testify*): Jason Flanagan, Texas Chiropractic College; Jesse Green, Dean McWilliams, Parker Chiropractic College)  
Against — None
- BACKGROUND:** Occupations Code, sec. 201.308 authorizes the Texas Board of Chiropractic Examiners (TBCE) to issue a temporary license.
- DIGEST:** CSHB 3450 would authorize the Texas Board of Chiropractic Examiners (TBCE) to issue a temporary faculty license to practice chiropractic. To obtain a temporary license, a person would have to:
- hold a current chiropractic license that was unrestricted and not subject to a disciplinary order or probation in another state or a Canadian province;
  - have passed the required examination;
  - have been practicing chiropractic for at least the three years preceding the application or have been a chiropractic educator in an accredited degree program for at least the three years preceding the application for a temporary faculty license; and
  - have held a salaried, full-time faculty position of at least the level of assistant professor at one of the two chiropractic colleges in the state (Parker College of Chiropractic or Texas Chiropractic College).

A person who held a faculty position of at least the level of assistant professor, worked part-time and was on active duty in the U.S. armed

forces, and whose practice would fulfill critical needs of the citizens of Texas, also would be eligible for a temporary faculty license.

A temporary license would be valid for one year. A chiropractor who was issued a temporary license would have to abide by current statutory requirements and be subject to disciplinary procedures of the TBCE. The chiropractor would be able to teach only at the school that made the application for a temporary license and would be prohibited from practicing outside the school. If a chiropractor who held a temporary license wished to receive a permanent unrestricted license, the chiropractor would have to meet requirements for a permanent license.

The chiropractic school would have to notify the TBCE within 72 hours if a chiropractor who had a temporary license was no longer teaching at the school.

The bill would require the TBCE to adopt rules by January 1, 2010, to implement the provisions of the bill, including provisions for revoking the temporary license and for setting fees for the license and its renewal.

The bill would take effect September 1, 2009.

**SUPPORTERS  
SAY:**

CSHB 3450 would allow the two chiropractic schools in Texas to begin attracting professors immediately from across the nation to teach in Texas. The chiropractic colleges usually hire about five to 15 professors a year, and some of these faculty members often come from one of the other 17 accredited chiropractic colleges in the United States. However, until they are licensed, they are limited in scope of what they are allowed to do. They are allowed only to lecture but not perform any physical demonstration activities. The bill would allow them to fully and comprehensively teach chiropractic students during the time their full license application was pending.

The bill would not allow a chiropractor to “hang out a shingle” and open an office for private practice while teaching at the school. In fact, the chiropractor could teach only at the school where the chiropractor was hired.

The Texas Medical Board has similar authority to issue a temporary faculty license for doctors licensed in other states who desire to teach in a

Texas medical school. The Texas Board of Chiropractic Examiners should have the same authority.

OPPONENTS  
SAY:

No apparent opposition.

NOTES:

The committee substitute differs from the bill as filed by adding a requirement that the applicant would have to have either practiced chiropractic for at least the three years before applying for the temporary faculty license, or have been an educator for the three years before applying. The substitute also requires the board to adopt rules governing application for renewal temporary licenses.

The companion bill, SB 1954 by Jackson, passed the Senate by 30-0 on April 24.