

BILL ANALYSIS

Senate Research Center
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S.B. 1062
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DIGEST AND PURPOSE

Currently, the Texas Board of Chiropractic Examiners (TBCE) has the authority to issue only one license to the owner of a chiropractic facility regardless of the number of chiropractic facilities owned by the owner. Also, TBCE has the authority to penalize a chiropractor if that chiropractor is practicing within a facility that has not been registered or not renewed the annual application of the facility. As proposed, S.B. 1062 requires that every chiropractic facility be registered individually. This bill also provides that a chiropractic license is not adversely affected if a chiropractor is practicing in a facility that has not registered or renewed its annual application.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Board of Chiropractic Examiners is modified in SECTION 1 (Section 201.312, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 201.312, Occupations Code, as follows:

Sec. 201.312. New heading: REGISTRATION OF FACILITIES. Deletes existing term "ACCREDITATION" from the heading.

- (a) Requires the Texas Board of Chiropractic Examiners (TBCE), by rule, to adopt requirements for registering, rather than licensing and regulating, chiropractic facilities as necessary to protect the public health, safety, and welfare.
- (b) Requires the rules adopted under this section to specify the registration, rather than licensing, requirements for a chiropractic facility; prescribe the standards, rather than the structure of, the chiropractic facility registration program; provide for the issuance of a separate certificate of registration, rather than one facility license, to an owner of a chiropractic facility for each chiropractic facility owned by the owner; and provide for TBCE to send notice to an owner of a chiropractic facility of the impending expiration of the facility's certificate of registration before the expiration of the certificate.
- (c) Requires the standards adopted under Subsection (b)(2) to be consistent with industry standards for the practice of chiropractic.
- (d) Requires the owner of a facility, to register a chiropractic facility, to take certain actions.
- (e) Authorizes TBCE to issue a certificate of registration only to a chiropractic facility that complies with the requirements of this section.
- (f) Requires a certificate of registration under this section to be renewed annually. Requires the certificate holder, to renew the certificate, to apply to TBCE and pay an annual fee equal to the amount of the registration fee under Subsection (d)(2).

(g) Provides that a person licensed to practice chiropractic in this state is not subject to disciplinary action under this chapter for practicing in a chiropractic facility that is not registered under this section.

(h) Provides that an owner of a chiropractic facility who violates this section or a rule adopted under this section is subject to disciplinary action by TBCE in the same manner as a license holder who violates this chapter or a rule adopted under this chapter.

SECTION 2. Effective date: September 1, 2003.