

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 10

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO CHIROPRACTIC PRACTICE; AMENDING CHAPTER 7, TITLE 54, IDAHO CODE,  
2 BY THE ADDITION OF A NEW SECTION 54-707A, IDAHO CODE, TO ESTABLISH PRO-  
3 VISIONS REGARDING FEES; AMENDING SECTION 54-708, IDAHO CODE, TO REVISE  
4 PROVISIONS REGARDING LICENSES; AMENDING SECTION 54-709, IDAHO CODE,  
5 TO REVISE PROVISIONS REGARDING LICENSURE BY WRITTEN EXAMINATION AND TO  
6 MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-710, IDAHO CODE, TO  
7 REVISE PROVISIONS REGARDING LICENSURE BY ENDORSEMENT AND TO MAKE TECH-  
8 NICAL CORRECTIONS; AND AMENDING SECTION 54-711, IDAHO CODE, TO REVISE  
9 PROVISIONS REGARDING TEMPORARY PRACTICE, REGISTRATION AND PERMIT AND  
10 TO MAKE TECHNICAL CORRECTIONS.  
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Chapter 7, Title 54, Idaho Code, be, and the same is  
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
15 ignated as Section 54-707A, Idaho Code, and to read as follows:

16 54-707A. FEES. (1) The board shall establish by rule fees for licen-  
17 sure under the provisions of this chapter including, but not limited to, the  
18 following:

- 19 (a) Application fee not to exceed two hundred fifty dollars (\$250);  
20 (b) Initial license fee not to exceed two hundred fifty dollars (\$250);  
21 (c) Endorsement license fee not to exceed two hundred fifty dollars  
22 (\$250);  
23 (d) Annual renewal of license fee not to exceed two hundred fifty dol-  
24 lars (\$250);  
25 (e) Inactive license fee not to exceed one hundred fifty dollars  
26 (\$150);  
27 (f) Temporary permit fee not to exceed one hundred fifty dollars  
28 (\$150);  
29 (g) Intern permit fee not to exceed one hundred fifty dollars (\$150);  
30 and  
31 (h) Continuing education provider application fee not to exceed five  
32 hundred dollars (\$500).

33 (2) Fees charged pursuant to paragraphs (b), (c), (f) and (g) of subsec-  
34 tion (1) of this section shall be in addition to the application fee.

35 (3) All fees received under the provisions of this chapter shall be  
36 nonrefundable and shall be deposited in the state treasury to the credit of  
37 the occupational license account in the dedicated fund, and all costs and  
38 expenses incurred by the board under the provisions of this chapter shall be  
39 a charge against and paid from the account for such purposes, and the funds  
40 collected shall be immediately available for the administration of this  
41 chapter, the provisions of any other law notwithstanding.

1 SECTION 2. That Section 54-708, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 54-708. BOARD TO ISSUE LICENSES -- RENEWAL AND REINSTATEMENT. (1) The  
4 board shall issue licenses to practice chiropractic to persons who have  
5 qualified therefor in accordance with the provisions of this chapter. The  
6 board may refuse licensure if it finds that the applicant has engaged in  
7 conduct prohibited by sections 54-704 and 54-712, Idaho Code, provided, that  
8 the board shall take into consideration the rehabilitation of the applicant  
9 and other mitigating circumstances. ~~Such licenses shall be issued after~~  
10 ~~payment of the licensing fee in an amount to be fixed by the board not to~~  
11 ~~exceed one hundred fifty dollars (\$150) An applicant for a license or permit~~  
12 under this chapter must submit the fee set by board rules. All licenses is-  
13 sued under the provisions of this chapter shall be subject to annual renewal  
14 and shall expire unless renewed in the manner prescribed by the board re-  
15 garding applications for renewal, continuing education, and fees. License  
16 renewal and reinstatement shall be in accordance with section 67-2614, Idaho  
17 Code.

18 (2) ~~The board may renew, on an inactive basis, the license of a A physi-~~  
19 ~~cian holding a current active license in this state who is not practicing~~  
20 ~~chiropractic in this state may be issued an inactive license. The physician~~  
21 ~~must submit the fee set by board rules and a written request for an inactive~~  
22 ~~license. The board shall fix and collect an inactive license fee for such an~~  
23 ~~inactive license renewal in an amount not to exceed one hundred fifty dol-~~  
24 ~~lars (\$150) and e~~Each inactive license shall be issued for a period of one (1)  
25 year. A physician holding an inactive license may not engage in the practice  
26 of chiropractic in this state. If a A physician wishes wishing to convert his  
27 an inactive license to an active license, he must account to the board for  
28 that period of time in which he held an inactive the license was inactive and  
29 must fulfill requirements that demonstrate competency to resume practice.  
30 Those requirements may include, but are not limited to, education, super-  
31 vised practice and examination. The board may consider practice in another  
32 jurisdiction in determining competency. All fees authorized by subsections  
33 (1) and (2) of this section shall be paid to the bureau of occupational li-  
34 enses.

35 ~~(3) Whenever the board determines that an applicant for a license to~~  
36 ~~practice chiropractic is not qualified for such a license pursuant to the~~  
37 ~~provisions of this chapter, the board shall notify the applicant by certi-~~  
38 ~~fied mail of its denial of licensure and the reasons for denial.~~

39 SECTION 3. That Section 54-709, Idaho Code, be, and the same is hereby  
40 amended to read as follows:

41 54-709. LICENSURE BY WRITTEN EXAMINATION. (1) Any person seeking to be  
42 licensed to practice chiropractic in this state must successfully complete  
43 the following requirements before a license will be issued:

- 44 (a) Each applicant must submit the fee set by board rules and a com-  
45 pleted written application and a fee not to exceed one hundred fifty  
46 dollars (\$150) to the board on forms furnished by the board, which shall  
47 require proof of graduation from an acceptable school of chiropractic;

1 (b) Each applicant must pass an examination ~~conducted by or acceptable~~  
 2 ~~to the board which shall thoroughly test the applicant's fitness to~~  
 3 ~~practice chiropractic~~ required by board rules. Such examinations must  
 4 include, but shall not be limited to, the following subjects: anatomy  
 5 and histology; clinical blood chemistry and hematology; pathology;  
 6 bacteriology; clinical nutrition; hygiene and sanitation; physiology;  
 7 symptomatology; urinalysis; chiropractic jurisprudence; chiroprac-  
 8 tic orthopedics; physiotherapy; chiropractic principles, clinical and  
 9 physical diagnosis; chiropractic adjustment; neurology, and palpa-  
 10 tion.

11 (2) If an applicant fails to pass an examination on two (2) separate oc-  
 12 casions, he shall not be eligible to take the examination again for at least  
 13 one (1) year, and before taking the examination again, he must make a show-  
 14 ing to the board that he has successfully engaged in a course of study for the  
 15 purpose of improving his ability to engage in the practice of chiropractic.  
 16 Applicants who fail two (2) separate examinations in another state, terri-  
 17 tory or district of the United States or Canada, must make a showing to the  
 18 board of successful completion of a course of study prior to examination for  
 19 licensure.

20 ~~(3) Applicants may be personally interviewed by the board or a desig-~~  
 21 ~~nated committee of the board. The interviews may be conducted to specifi-~~  
 22 ~~cally review the applicant's qualifications and professional credentials.~~  
 23 ~~The applicant shall be further examined by the board to determine that the~~  
 24 ~~applicant possesses the arts and skills of chiropractic adjusting.~~

25 SECTION 4. That Section 54-710, Idaho Code, be, and the same is hereby  
 26 amended to read as follows:

27 54-710. LICENSURE BY ENDORSEMENT. Any person seeking to be licensed to  
 28 practice chiropractic in this state who is licensed to practice chiropractic  
 29 in another state must successfully complete the following requirements be-  
 30 fore a license to practice chiropractic will be issued.

31 (1) Each applicant must submit the fee set by board rules and a com-  
 32 pleted written application and a fee not to exceed one hundred fifty dol-  
 33 lars (\$150) to the board on forms furnished by the board which that require  
 34 proof of graduation from an acceptable school of chiropractic and which that  
 35 contains proof that the applicant has for five (5) consecutive years immedi-  
 36 ately prior to application, practiced chiropractic and holds a valid, unre-  
 37 voked, unsuspended license to practice chiropractic in a state, territory or  
 38 district of the United States or Canada, and a national board of chiropractic  
 39 examiner's certificate.

40 (2) Each applicant must demonstrate that he possesses the requisite  
 41 qualifications to provide the same standard of chiropractic care as provided  
 42 by physicians in this state. The board may require further examination to  
 43 establish such qualifications.

44 SECTION 5. That Section 54-711, Idaho Code, be, and the same is hereby  
 45 amended to read as follows:

46 54-711. TEMPORARY PRACTICE, REGISTRATION AND PERMIT. (1) Any person  
 47 who has submitted an application to the board for licensure by examination to

1 practice chiropractic in the state of Idaho, may register with the board and  
2 be granted a permit to practice chiropractic prior to examination and licen-  
3 sure in accordance with board rules upon the following conditions:

4 (a) The applicant must submit the fee set by board rules and a completed  
5 registration application to the board on forms furnished by the board  
6 ~~together with a fee of not more than one hundred dollars (\$100),~~ and must  
7 affirmatively show that the applicant will take the next scheduled ex-  
8 amination for licensure approved by the board, and that the applicant  
9 has not failed two (2) previous examinations for licensure approved by  
10 the board; and

11 (b) A licensed physician certifies to the board that such applicant  
12 will practice chiropractic only under the direct and immediate supervi-  
13 sion of such physician and only in the office of such physician.

14 (2) Any person who has completed the required course of study from an  
15 acceptable school of chiropractic, but has not yet graduated, may register  
16 with the board and be granted a permit to serve a chiropractic internship in  
17 accordance with board rules and upon the following conditions:

18 (a) The applicant must submit the fee set by board rules and a completed  
19 registration application to the board on forms furnished by the board  
20 ~~and submit a fee of not more than one hundred dollars (\$100);~~ and

21 (b) A licensed physician certifies to the board that such applicant  
22 will practice chiropractic only under the direct and immediate supervi-  
23 sion of such physician and only in the office of such physician.