

**CS FOR SENATE BILL NO. 297(L&C) am**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIRST LEGISLATURE - SECOND SESSION**

**BY THE SENATE LABOR AND COMMERCE COMMITTEE**

**Amended: 4/6/00**

**Offered: 4/5/00**

**Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the licensing of chiropractors and to disciplinary actions  
2 against chiropractors."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 08.20 is amended by adding new sections to read:

5 **Sec. 08.20.163. Temporary permit for locum tenens practice.** (a) The  
6 board may grant a temporary permit to a chiropractor for the purpose of the  
7 chiropractor's substituting for another chiropractor licensed in this state. The permit  
8 is valid for 60 consecutive days. If circumstances warrant, an extension of the permit  
9 may be granted by the board.

10 (b) A chiropractor applying under (a) of this section shall pay the required fee  
11 and shall meet the

12 (1) requirements of AS 08.20.120; or

13 (2) following requirements:

14 (A) submit evidence of a current license in good standing,

1 including

2 (i) no action reported in the national licensee database  
3 of the Federation of Chiropractic Licensing Boards;

4 (ii) not having been, within the five years preceding the  
5 date of application, the subject of an unresolved review or an adverse  
6 decision based upon a complaint, investigation, review procedure, or  
7 disciplinary proceeding undertaken by a state, territorial, local, or  
8 federal chiropractic licensing jurisdiction, chiropractic society, or law  
9 enforcement agency that relates to criminal or fraudulent activity,  
10 chiropractic malpractice, or negligent chiropractic care and that  
11 adversely reflects on the applicant's ability or competence to engage in  
12 the practice of chiropractic or on the safety or well-being of patients;  
13 and

14 (iii) no conviction for a felony within the five years  
15 preceding the date of application;

16 (B) submit evidence of five years of active licensed clinical  
17 practice;

18 (C) be a graduate of a school or college of chiropractic that is  
19 accredited by or a candidate for accreditation by the Council on Chiropractic  
20 Education or a successor accrediting agency recognized by the board;

21 (D) have completed 120 hours of formal training in  
22 physiological therapeutics or have passed, to the satisfaction of the board, a  
23 physiological therapeutic examination of the National Board of Chiropractic  
24 Examiners required by the board;

25 (E) have passed, to the satisfaction of the board, Parts I and II  
26 of the examination of the National Board of Chiropractic Examiners; and

27 (F) pass an examination given by the board.

28 (c) Permits and extensions of permits issued under this section to an individual  
29 are not valid for more than 240 days during any consecutive 24 months.

30 **Sec. 08.20.165. Inactive license status.** (a) A licensee who does not practice  
31 in the state may convert a license to inactive status when renewing the license. A

person who practices in the state, however infrequently, shall hold an active license.  
A person renewing an inactive license shall meet the same renewal requirements that would be applicable if the person were renewing an active license.

(b) A person who has an inactive license certificate under (a) of this section may reactivate the license by applying for an active license and paying the required fees.

**Sec. 08.20.167. Retired license status.** (a) Upon retiring from practice and upon payment of an appropriate one-time fee, a licensee in good standing with the board may apply for the conversion of an active or inactive license to a retired status license. A person holding a retired status license may not practice chiropractic in the state. A retired status license is valid for the life of the license holder and does not require renewal. A person holding a retired status license is exempt from continuing education requirements adopted by the board under AS 08.20.170(d).

(b) A person with a retired status license may apply for active licensure. Before issuing an active license under this subsection, the board may require the applicant to meet reasonable criteria, as determined under regulations of the board, that may include submission of continuing education credits, reexamination requirements, physical and psychiatric examination requirements, an interview with the board, and a review of information in the national licensee database of the Federation of Chiropractic Licensing Boards.

\* **Sec. 2.** AS 08.20.170(a) is amended to read:

(a) The board may [, AFTER A HEARING,] impose a disciplinary sanction on a person licensed under this chapter or refuse to issue a license under this chapter when the board finds that the person [LICENSEE]

(1) secured or attempted to secure a license through deceit, fraud, or intentional misrepresentation;

(2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing professional services or engaging in professional activities;

(3) advertised professional services in a false or misleading manner;

(4) has been convicted, including a conviction based on a guilty plea or plea of nolo contendere, of

(A) a felony or other crime that [WHICH] affects the person's [LICENSEE'S] ability to [CONTINUE TO] practice competently and safely;  
or

(B) a crime involving the unlawful procurement, sale, prescription, or dispensing of drugs;

(5) intentionally or negligently engaged in or permitted the performance of patient care by persons under the licensee's supervision that [WHICH] does not conform to minimum professional standards established by regulation regardless of whether actual injury to the patient occurred;

(6) failed to comply with this chapter, with a regulation adopted under this chapter, or with an order of the board;

(7) continued or attempted to practice after becoming unfit due to

(A) professional incompetence;

(B) addiction or severe dependency on alcohol or a drug that [WHICH] impairs the person's [LICENSEE'S] ability to practice safely;

(C) physical or mental disability or an infectious or contagious disease;

(8) engaged in lewd or immoral conduct in connection with the delivery of professional service to patients; or

(9) failed to satisfy continuing education requirements adopted by the board.

\* **Sec. 3.** AS 08.20.180(a) is amended to read:

(a) An applicant for an examination, reexamination, issuance of a temporary permit under AS 08.20.160, issuance of a locum tenens permit under AS 08.20.163, one-time issuance of a retired status license, or initial issuance or renewal of an active or inactive [A] license shall pay a fee established under AS 08.01.065.