

# EXHIBIT D-1

REVISED 06-22-2011 16:05;

INTERIM STUDY PROPOSAL 2011-176

REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-EIGHTH  
ARKANSAS GENERAL ASSEMBLY TO REFER TO THE HOUSE COMMITTEE ON  
PUBLIC HEALTH, WELFARE A STUDY OF THE STANDARDS FOR SUSPENDING,  
REVOKING, AND DENYING LICENSES TO CHIROPRACTORS.

WHEREAS, chiropractors necessarily work intimately with citizens; and

WHEREAS, licensure discipline of chiropractors falls exclusively within  
the purview of the Arkansas State Board of Chiropractic Examiners; and

WHEREAS, the conduct of chiropractors can have serious health and  
safety effects,

NOW THEREFORE,

BE IT RESOLVED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-EIGHTH  
GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the Arkansas Legislative Council of the Eighty-Eighth Arkansas  
General Assembly refer to the House Committee on Public Health, Welfare, and  
Labor a study of the standards for suspending, revoking, and denying licenses  
to chiropractors.

Respectfully submitted,

Representative Donna Hutchinson  
District 98

By: MGF/LNS

## Law Related to ISP 2011-176 by Rep. Donna Hutchinson

### To INITIALLY obtain a chiropractic license in Arkansas:

#### 17-81-305. Qualifications of applicants.

##### (a) To qualify to take the examination, an applicant shall:

- (1) Be at least twenty-one (21) years of age;
- (2) Have successfully completed not less than a minimum of sixty (60) semester credit hours of college education, to include a minimum of thirty (30) semester credit hours in the field of science;
- (3) Not have had a license to practice chiropractic in any other state suspended or revoked nor have been placed on probation for any cause;
- (4) Possess a valid "doctor of chiropractic" degree from a chiropractic institution whose requirements include a course of instruction of not fewer than four (4) years of nine (9) academic months each or not fewer than four thousand four hundred (4,400) fifty-minute resident class hours and include one hundred twenty (120) classroom hours of physiological therapeutics;
- (5) Possess a valid National Board of Chiropractic Examiners certificate, to include Parts I, II, and III, and the physiological therapeutics section;
- (6) Be of good moral character;
- (7) Not have been convicted of a felony;
- (8) Not be an habitual user of intoxicants, drugs, or hallucinatory preparations;
- (9) Pay the application fee as provided in § 17-81-304; and
- (10) Cause a certified chiropractic college transcript or National Board of Chiropractic Examiners transcript to be submitted directly from the respective institutions.

(b) An applicant graduated, as of July 19, 1971, from a school or college of chiropractic, the requirements and course of instruction of which were equal and comparable to other recognized schools or colleges of chiropractic at the time of his or her attendance, may be acceptable.

(c) For students enrolled in any approved chiropractic school or college which may not, at the passage date of this act, meet the requirements as set forth in subdivision (a)(4) of this section, the Arkansas State Board of Chiropractic Examiners may waive the requirement in individual cases at its discretion.

(d) In lieu of the practical examination set out in § 17-81-306, with the exception of subdivision (a)(1)(A) in that section, the applicant may present the board with evidence of passing the National Board of Chiropractic Examiners Part IV with a minimum score of 375 which shall be accepted by the board as a passing grade.

History. Acts 1971, No. 706, § 10; A.S.A. 1947, § 72-424; Acts 1987, No. 354, § 6; 1989, No. 763, § 1; 1991, No. 786, § 25; 1993, No. 1219, § 14; 1999, No. 1553, § 9.

### After licensed in Arkansas, this law applies:

#### 17-81-313. Disciplinary proceedings — Revocation or suspension.

(a) The Arkansas State Board of Chiropractic Examiners shall have sole authority over licensed chiropractors to levy a civil penalty of not more than five thousand dollars (\$5,000) nor less than one thousand dollars (\$1,000) for each violation, to deny, place under probation, suspend, or revoke any license to practice chiropractic issued by the board or applied for in accordance with the provisions of this chapter, or otherwise to discipline a licensee upon proof that the person:

(1) Is guilty of fraud or deceit in procuring or attempting to procure a license to practice chiropractic;

##### (2) Is guilty of crime or gross immorality;

(3) Is unfit or incompetent by reason of negligence, habits, or other causes;

(4) Is habitually intemperate or is addicted to the use of habit-forming drugs;

(5) Is mentally incompetent;

##### (6) Is guilty of unprofessional conduct;

(7) Is guilty of fraud or deceit in filing insurance forms, documents, or information pertaining to the health or welfare of a patient; or

(8) Has willfully or repeatedly violated any of the provisions of this chapter.

(b) Proceedings under this section shall comply with the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

History. Acts 1971, No. 706, § 27; A.S.A. 1947, § 72-441; Acts 1987, No. 354, § 10; 1993, No. 392, § 7; 1999, No. 1553, § 15.