

1 HB190  
2 164843-1  
3 By Representatives Wood and Holmes (M)  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 05-MAR-15

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8 SYNOPSIS: This bill would revise the law relating to  
9 the Board of Chiropractic Examiners to provide for  
10 the issuance of duplicative certificates, increase  
11 various fees, including late fees, authorize the  
12 board to set certain fees by rule of the board,  
13 provide further for reinstatement of licenses,  
14 authorize the payment of administrative fines in  
15 installments, and provide for the continuing  
16 qualification of board members.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT

21  
22 Relating to the Board of Chiropractic Examiners; to  
23 amend Sections 34-24-140, 34-24-161, 34-24-165, 34-24-166,  
24 34-24-176, and 34-24-177, Code of Alabama 1975, to further  
25 provide for the licensure of chiropractors; to provide  
26 continuing qualification of board members; to increase various  
27 fees and to authorize the board to set certain fees; to

1 further provide for reinstatement of licenses and to provide  
2 for payment of administrative fines in installments; and to  
3 repeal Section 34-24-172, Code of Alabama 1975, relating to  
4 the restoration of licenses.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Sections 34-24-140, 34-24-161, 34-24-165,  
7 34-24-166, 34-24-176, and 34-24-177, Code of Alabama 1975, are  
8 amended to read as follows:

9 "§34-24-140.

10 "(a) There is created and established a State Board  
11 of Chiropractic Examiners. The board shall be composed of nine  
12 members. Eight members of the board shall be active licensed  
13 chiropractors elected as provided in this section. Seven of  
14 the elected members shall be elected one from each  
15 congressional district in this state except as otherwise  
16 provided in Section 34-24-141. Any candidate for or member of  
17 the board shall be a resident of the appropriate congressional  
18 district except one candidate for the board shall be elected  
19 from the state at large. One elected member of the board shall  
20 be elected from the state at-large and shall be an  
21 African-American. Each elected member of or candidate for the  
22 board shall meet the following qualifications: A citizen and  
23 resident of Alabama who has resided in this state for at least  
24 five years; a graduate of a chartered chiropractic school or  
25 college, which required actual attendance in the school as a  
26 prerequisite to graduation; currently engaged in the clinical  
27 practice of chiropractic and has been engaged in the clinical

1 practice in this state for at least the five immediately  
2 preceding years; having renewed his or her license to practice  
3 chiropractic by September 30 of the year in which the election  
4 shall take place; of good moral character; and must not be  
5 presently on probation relating to the practice of  
6 chiropractic in any state including this state.

7 "(b) One member of the board shall be a consumer  
8 member appointed by the Governor. Neither the consumer member,  
9 nor his or her spouse, shall be a chiropractor. The consumer  
10 member shall not be an immediate family member of a  
11 chiropractor, nor shall he or she be employed in the  
12 chiropractic field.

13 "(c) The elected members of the board shall be  
14 elected as provided in this subsection. In August of any year  
15 that the term of a member of the board expires, the Board of  
16 Chiropractic Examiners shall mail a notice of the election of  
17 the board and the method of qualifying as a candidate to each  
18 active licensed chiropractor in the district where the vacancy  
19 occurs at his or her permanent mailing address. The election  
20 provided for in this section shall be conducted by an  
21 independent agency such as a certified public accounting firm  
22 unless there is only one candidate for the board and in this  
23 situation, the board shall certify the results. The board  
24 shall set a period for candidates to qualify and the date for  
25 the ballots to be mailed. Candidates shall qualify by  
26 submitting their name to the executive director of the board  
27 during the qualifying period which shall be not less than 20

1 days nor more than 40 days after the notice is mailed. Not  
2 less than 14 days after the deadline for qualification, each  
3 licensed chiropractor shall be mailed a ballot for the  
4 appropriate congressional district where the vacancy is to be  
5 filled. In order to be counted, the ballots shall be received  
6 by the board not later than 14 days after the ballots are  
7 mailed. The results of the election shall be certified by no  
8 less than three members of the board. The ballots shall be  
9 maintained for a period of six months. The candidate with a  
10 simple majority of the votes cast in each respective  
11 congressional district shall be elected to the board position  
12 for that congressional district. In the event no candidate in  
13 a district receives a majority of the votes, the board shall  
14 hold a run-off election in the same manner as provided in this  
15 subsection. The members of the board shall take office  
16 immediately upon election and the executive director of the  
17 board shall set the first meeting of the board after the  
18 election of the new board.

19 "(d) Whenever a vacancy occurs on the board, whether  
20 by death, resignation of a member, or other cause, the vacancy  
21 shall be filled in the same manner as the original election or  
22 appointment for the remainder of the term of office.

23 "(e) (1) The board may employ investigators,  
24 inspectors, attorneys, and any other agents, employees, and  
25 assistants as may from time to time be necessary, and may use  
26 any other means necessary to bring about and maintain a rigid  
27 administration and enforcement of state and federal law.

1           "(2) The board shall have the power to issue  
2 subpoenas and compel the attendance of witnesses and the  
3 production of all necessary papers, books, records,  
4 documentary evidence and materials, or other evidence. Any  
5 person failing or refusing to appear or testify regarding any  
6 matter about which he or she may be lawfully questioned or to  
7 produce any papers, books, records, documentary evidence or  
8 materials, or other evidence in the matter to be heard, after  
9 having been required by order of the board or by a subpoena of  
10 the board to do so, upon application by the board to any  
11 circuit judge of this state, may be ordered to comply  
12 therewith; and, upon failure to comply with the order of the  
13 circuit judge, the court may compel obedience by attachment as  
14 for contempt as in case of disobedience of a similar order or  
15 subpoena issued by the court. The president and  
16 secretary-treasurer of the board shall have authority to issue  
17 subpoenas, and any board member shall have authority to  
18 administer oaths to witnesses, or to take their affirmation. A  
19 subpoena or other process of paper may be served upon any  
20 person named therein, anywhere within the State of Alabama, by  
21 any officer authorized to serve subpoenas or other process or  
22 paper in civil actions, in the same manner as is prescribed by  
23 law for subpoenas issued out of the circuit courts of this  
24 state, the fees and mileage and other costs to be paid as the  
25 board directs.

26           "(f) The board shall employ an executive director  
27 who shall be responsible for the administration of board

1 policy. The executive director may be licensed to practice  
2 chiropractic in this state as provided in this article.

3 "(g) The board shall publish annually a directory  
4 listing all permit holders and all persons licensed to  
5 practice chiropractic in Alabama. Copies of the directory  
6 shall be made available from the executive director at a cost  
7 set from time to time by rule of the board.

8 "(h) The membership of the board shall be inclusive  
9 and reflect the racial, gender, geographic, urban/rural, and  
10 economic diversity of the state.

11 "(i) Each member of the board shall meet all  
12 qualifications to be a candidate for his or her seat on the  
13 board during his or her entire term. Any member who fails to  
14 continue to meet the qualifications for his or her seat shall  
15 forfeit his or her seat on the board and resign or the board  
16 seat shall be declared vacant by the board.

17 "§34-24-161.

18 "(a) Each applicant, who matriculated into a  
19 chiropractic college after January 1, 1973, must pass parts  
20 one and two of the examination administered by the National  
21 Board of Chiropractic Examiners or other national examination  
22 as approved by the board. In addition, each applicant must  
23 pass an examination administered by the board on this article  
24 and the rules of the board.

25 "(b) The State Board of Chiropractic Examiners shall  
26 prescribe rules and regulations regarding which national  
27 examination shall be administered, the conduct of and times

1 and places of examinations, and requirements for successful  
2 completion of examinations. A license shall be issued for each  
3 applicant who successfully completes the examination.

4 "(c) Irrespective of the requirements in subsections  
5 (a) and (b), the board may license an applicant if the  
6 applicant is licensed in another state that, in the opinion of  
7 the board, has standards of practice or licensure equal to or  
8 stricter than the requirements imposed by this article. If the  
9 applicant graduated from chiropractic college after January 1,  
10 2010, he or she must have a bachelor's degree from an  
11 accredited college or university. Absent a bachelor's degree,  
12 the requirement may be met by an academic graduate degree from  
13 a regionally accredited college or university and proof that  
14 the applicant has taken a nationally recognized standardized  
15 test commensurate with that applicant's graduate degree.

16 "(d) Upon completion of all requirements for  
17 licensure an applicant shall be issued a license. The fee for  
18 issuance of a license shall ~~not be more than fifty dollars~~  
19 ~~(\$50), the exact amount to be established by rule of the~~  
20 board. Each license shall be dated and numbered in the order  
21 of issuance and shall be signed by the executive director and  
22 the president of the board.

23 "(e) Replacement licenses:

24 "(1) Any licensee whose license is lost or destroyed  
25 may be issued a replacement license upon making application to  
26 the board. The application must be accompanied by an affidavit  
27 setting out the facts concerning the loss or destruction.



1           "(2) Name change. Any licensee whose name is changed  
2 by marriage or court order may surrender his or her license  
3 and apply for a replacement license.

4           "(3) The fee for any replacement license shall be  
5 ~~not more than fifty dollars (\$50), the exact amount to be~~  
6 established by rule of the board.

7           "(f) Each licensed chiropractor who is actively  
8 engaged in practice or who holds himself or herself out as a  
9 chiropractor shall place or cause to be placed in a  
10 conspicuous place at the entrance of his or her office or  
11 place in which he or she practices a sign in intelligible  
12 lettering not less than one inch in height containing the name  
13 of the chiropractor and in lettering no smaller than half the  
14 size of the name of the chiropractor, the words "CHIROPRACTOR"  
15 or "CHIROPRACTIC." The intent of this requirement is that the  
16 office of the licensee be clearly identified by name and  
17 profession.

18           "(g) Any licensee or permittee upon request shall be  
19 issued a duplicate license upon payment of a fee to be  
20 established by rule of the board.

21           "§34-24-165.

22           "(a) Every license to practice chiropractic or  
23 permit to own a chiropractic practice shall be subject to  
24 renewal on September 30 of the year for which it is issued  
25 with a grace period from October 1 to December 31 of each  
26 year. Every person having a valid license or permit may on or  
27 before September 30 renew the license or permit for the

1       ensuing year by the payment to the State Board of Chiropractic  
2       Examiners of a fee of not more than ~~three hundred dollars~~  
3       ~~(\$300)~~ four hundred fifty dollars (\$450), the exact amount to  
4       be fixed by rule of the board, adopted in accordance with the  
5       Alabama Administrative Procedure Act. The license renewal  
6       shall be accompanied by satisfactory evidence that the person  
7       has completed during the preceding year a minimum of 18 hours  
8       of professional educational work approved by the board. The  
9       permit renewal shall be accompanied by satisfactory evidence  
10      that the primary permit holder has completed ~~during the~~  
11      ~~preceding year a minimum of two hours in Alabama Law and board~~  
12      ~~rules~~ the number of approved continuing education hours in the  
13      manner set forth and required by rule of the board. The board,  
14      for good and reasonable cause shown, may waive the education  
15      requirement. The secretary-treasurer or the executive director  
16      of the board shall notify each licensee or permit holder at  
17      least 30 days prior to September 30 of each year of the due  
18      date for renewal. In addition to the renewal fee, a late  
19      renewal penalty shall be assessed any licensee or permit  
20      holder who fails to pay the renewal fee by September 30 of  
21      each year based on the following schedule:

22                "(1) For renewal during the month of October, ~~fifty~~  
23      ~~dollars (\$50)~~ one hundred dollars (\$100).

24                "(2) For renewal during the month of November, ~~one~~  
25      ~~hundred dollars (\$100)~~ two hundred dollars (\$200).

26                "(3) For renewal during the month of December, ~~two~~  
27      ~~hundred and fifty dollars (\$250)~~ three hundred dollars (\$300).

1            "A chiropractor may continue to practice or a permit  
2 holder may continue to own a chiropractic practice until  
3 December 31 of the year for which a license or permit is  
4 issued subject to subsection (b).

5            "~~(b) Failure, by December 31 of each year, to renew~~  
6 ~~a license or permit and pay the renewal fee, late renewal~~  
7 ~~penalty if applicable, and submit proof of completion of the~~  
8 ~~minimum number of hours of approved professional educational~~  
9 ~~work, unless waived, shall operate as a forfeiture of the~~  
10 ~~right of the licensee or permit holder to practice his or her~~  
11 ~~profession in this state. During this grace period for~~  
12 ~~renewal, a licensee may complete any continuing education~~  
13 ~~requirements for renewal that the licensee failed to complete~~  
14 ~~during the prior fiscal year. A forfeited license or permit~~  
15 ~~may be reinstated by the board, in its discretion, upon~~  
16 ~~payment of a reinstatement fee as required by Section~~  
17 ~~34-24-176, and all past fees due, including the highest late~~  
18 ~~renewal penalty provided above. All funds received by the~~  
19 ~~board for annual license or permit renewal fees may be used by~~  
20 ~~the board for education, promotion, and welfare of the science~~  
21 ~~of chiropractic. Any license issued pursuant to this chapter~~  
22 ~~shall be automatically suspended if not renewed on or before~~  
23 ~~January 1. Any chiropractor whose license is automatically~~  
24 ~~suspended shall be reinstated if all conditions for renewal~~  
25 ~~have been satisfied and upon payment of a reinstatement fee on~~  
26 ~~or before January 31. Any chiropractor who seeks reinstatement~~

1 due to nonrenewal after the above time shall comply with  
2 Section 34-24-176.

3 "(c) Any licensee who is no longer in active  
4 practice may apply for retirement of his or her license by  
5 submitting an affidavit to that effect on a form supplied by  
6 the executive director. A licensee whose license is retired is  
7 excused from the professional education requirement specified  
8 in this article. The annual fee for maintenance of a retired  
9 license may not be more than one-half of the amount required  
10 by this article for an active license. ~~A retired licensee  
11 shall be required to pay back fees and reinstatement fees  
12 required by this article for reinstatement to active practice.  
13 The board may require the retired licensee to enroll in and  
14 successfully complete a refresher course approved by the board  
15 at an accredited chiropractic college. The decision of the  
16 board as to whether a course of study will be required and  
17 whether a particular course of study will be approved shall be  
18 made on an individual case basis and shall be based on all  
19 relevant circumstances of that case. Any license issued  
20 pursuant to this section shall be automatically suspended if  
21 not renewed on or before January 1. Any chiropractor whose  
22 license is automatically suspended shall be reinstated if all  
23 conditions for renewal have been satisfied and upon payment of  
24 a reinstatement fee on or before January 31. Any chiropractor  
25 who seeks reinstatement due to nonrenewal after the above time  
26 shall comply with Section 34-24-176.~~

1           "(d) The board may waive or reduce annual  
2 registration and the payment of fees while any licensee is  
3 prevented from practicing chiropractic by reason of physical  
4 disability, temporary active duty with any of the Armed Forces  
5 of the United States, or while any licensee is completely  
6 retired from the practice of chiropractic. The waiver of fees  
7 shall be effective so long as the disability, temporary active  
8 duty, or complete retirement continues.

9           "(e) The State Board of Chiropractic Examiners shall  
10 make rules and regulations as necessary and proper for  
11 effectuating or enforcing this article.

12           "(f) In addition to other requirements established  
13 by law and for the purpose of determining suitability for  
14 reinstatement of a license to practice chiropractic, each  
15 individual seeking reinstatement shall submit a complete set  
16 of fingerprints to the State Board of Chiropractic Examiners  
17 and the board shall submit the fingerprints provided by any  
18 such individual to the Alabama Bureau of Investigation (ABI).  
19 The fingerprints shall be forwarded by the ABI to the Federal  
20 Bureau of Investigation (FBI) for a national criminal history  
21 record check. Costs associated with conducting a criminal  
22 history background check shall be borne by the individual  
23 seeking reinstatement. The State Board of Chiropractic  
24 Examiners shall keep information received pursuant to this  
25 section confidential, except that such information received  
26 and relied upon in denying reinstatement may be disclosed as  
27 may be necessary to support the denial. In addition to other

1 requirements established by law and for the purposes of  
2 determining suitability for renewal, the board, in its  
3 discretion, may require an individual seeking renewal of a  
4 license to practice chiropractic to submit a complete set of  
5 fingerprints to the State Board of Chiropractic Examiners. The  
6 board shall submit the fingerprints provided by any such  
7 individual to the ABI. The fingerprints shall be forwarded by  
8 the ABI to the FBI for a national criminal history record  
9 check. Costs associated with conducting a criminal history  
10 background check shall be borne by the individual seeking  
11 renewal. The State Board of Chiropractic Examiners shall keep  
12 information received pursuant this section confidential,  
13 except that such information received and relied upon in  
14 denying renewal may be disclosed as may be necessary to  
15 support the denial. This requirement also shall apply in the  
16 same manner to any person who is not licensed as a  
17 chiropractor who applies for reinstatement or renewal of his  
18 or her permit pursuant to Section 34-24-123(b).

19 "(g) The board shall also establish an inactive  
20 license for persons who desire to be licensed in Alabama but  
21 who actually practice in another state. The annual fee for  
22 maintenance of an inactive license shall be one-half of the  
23 amount required by this section for an active license.

24 "§34-24-166.

25 "(a) The State Board of Chiropractic Examiners may  
26 refuse to grant a license or permit to any applicant who is  
27 not of good moral character and reputation or has a history of

1 narcotic addiction or has previously been convicted of a  
2 felony or any crime of moral turpitude or has previously been  
3 diagnosed as having a psychopathic disorder.

4 "(b) The State Board of Chiropractic Examiners may  
5 invoke disciplinary action as outlined in subsection (c)  
6 whenever the licensee or permit holder shall be found guilty  
7 of any of the following:

8 "(1) Fraud in procuring a license or permit, or any  
9 fraud in obtaining money or other thing of value.

10 "(2) Immoral conduct.

11 "(3) Unprofessional conduct.

12 "(4) Habitual intoxication or addiction to the use  
13 of drugs.

14 "(5) Conviction of a felony or any crime of moral  
15 turpitude.

16 "(6) Conviction for violation of any narcotic or  
17 controlled substance statute.

18 "(7) Unlawful invasion of the field of practice of  
19 any other health practitioner when the licensee is not  
20 licensed to practice such profession.

21 "(8) Division of fees or agreeing to split or divide  
22 fees received for professional services with any person for  
23 bringing or referring a patient.

24 "(9) Continuing to practice after suspension or  
25 revocation of license.

26 "(10) A violation of any order issued by the board.

1           "(11) Engaging in the incompetent practice of  
2 chiropractic.

3           "(12) Aiding the unauthorized practice of  
4 chiropractic.

5           "(13) Advertising in any manner which violates the  
6 rules and regulations established by the board.

7           "(14) A violation of any of the provisions of this  
8 article or any rule or regulation adopted by the board.

9           "(15) Patient abandonment.

10          "(16) The suspension, revocation, or probation by  
11 another state of a license to practice chiropractic or permit  
12 to operate or own a chiropractic office or practice. A  
13 certified copy of the record of suspension, revocation, or  
14 probation shall be conclusive evidence of the suspension,  
15 revocation, or probation.

16          "(17) The inability to practice chiropractic with  
17 reasonable skill and safety to patients by reason of illness,  
18 inebriation, excessive use of drugs, narcotics, alcohol,  
19 chemicals, or any other substance, or as a result of any  
20 mental or physical condition.

21          "(c) (1) The Board of Chiropractic Examiners shall  
22 establish rules and regulations which shall govern the  
23 practice of chiropractic and shall detail prohibited acts  
24 stated in this article. The board shall have the power and it  
25 shall be its duty as a consumer protection agency to impose  
26 any of the sanctions set forth in subdivision (2) against any



1 licensee or permit holder upon a determination of guilt of any  
2 of the above enumerated grounds.

3 "(2) When the board finds any licensee or permit  
4 holder guilty of any of the grounds set forth in subsection  
5 (b), the board may enter an order imposing one or more of the  
6 following penalties:

7 "a. Revoke the license to practice chiropractic or  
8 permit.

9 "b. Suspend the license to practice chiropractic or  
10 permit.

11 "c. Enter a censure on the license or permit.

12 "d. Issue an order fixing a period and terms of  
13 probation best adapted to protect the public health and safety  
14 and to rehabilitate the licensee or permit holder.

15 "e. Impose an administrative fine not to exceed  
16 eight thousand dollars (\$8,000) for each count or separate  
17 offense.

18 "f. Impose restrictions on the scope of practice.

19 "g. Impose peer review or professional education  
20 requirements.

21 "h. Assess the costs of the disciplinary  
22 proceedings.

23 "i. Issue a reprimand.

24 "j. Assess the costs for the monitoring of any  
25 licensee or permit holder as ordered by the board.

26 "(3) Failure to comply with any final order of the  
27 board, including, but not limited to, an order of censure or

1 probation, is cause for suspension or revocation of the  
2 license or permit.

3 "(d) The board may in an emergency situation, when  
4 danger to the public health, safety, and welfare requires,  
5 suspend any license or permit without a hearing or with an  
6 abbreviated hearing in accordance with the following sections  
7 of this article.

8 "(e) Any person who engages in the unlawful practice  
9 of chiropractic, or who violates any provision of this  
10 chapter, shall be guilty of a Class C misdemeanor.

11 "(f) (1) When the issue is whether or not a licensee  
12 is physically or mentally capable of practicing chiropractic  
13 with reasonable skill and safety to patients, then, upon a  
14 showing of probable cause to the board that the licensee is  
15 not capable of practicing chiropractic with reasonable skill  
16 and safety to patients, the board may order and direct the  
17 licensee in question to submit to a physical, mental, or  
18 laboratory examination, or any combination thereof, to be  
19 performed by a physician designated or approved by the board.  
20 The expense of the examination shall be borne by the licensee  
21 who is examined. The board may collect and expend funds  
22 available to the board as necessary to adequately provide for  
23 the operational expenses of the wellness program.

24 "(2) Every person issued a license to practice  
25 chiropractic in this state or issued a permit in this state  
26 upon a showing of probable cause as provided in subdivision  
27 (1), shall be deemed to have given consent to submit to a

1 mental, physical, or laboratory examination, or to any  
2 combination thereof, and to waive all objections to the  
3 admissibility of the testimony or examination reports of the  
4 examining physician on the ground that the reports constitute  
5 privileged doctor-patient communications.

6 "(g) It shall be the duty and obligation of the  
7 board to promote the early identification, intervention,  
8 treatment, and rehabilitation of chiropractors licensed to  
9 practice in the state who may be impaired by reason of  
10 illness, inebriation, excessive use of drugs, narcotics,  
11 alcohol, chemicals, or other substances or as a result of any  
12 physical or mental condition. The board may enter into an  
13 agreement for any of the following:

14 "(1) Contracting with providers for treatment  
15 programs.

16 "(2) Receiving and evaluating reports of suspected  
17 impairment from any source.

18 "(3) Intervening in cases of verified impairment.

19 "(4) Referring impaired chiropractors to treatment  
20 programs.

21 "(5) Monitoring the treatment and rehabilitation of  
22 impaired chiropractors.

23 "(6) Providing post-treatment monitoring and support  
24 of rehabilitated impaired chiropractors.

25 "(h) All information, interviews, reports,  
26 statements, memoranda, or other documents furnished to the  
27 board are confidential and shall be used by the board only in

1 the exercise of the proper function of the board and shall not  
2 be public records nor available for court subpoena or for  
3 discovery proceedings.

4 "§34-24-176.

5 ~~"In any event any licensee or permit holder allows  
6 his or her license or permit to lapse and desires to return to  
7 active practice, he or she must apply to the board for a  
8 reinstatement of the license or permit and must submit to the  
9 board a reinstatement fee together with all back fees. The  
10 reinstatement fee shall be one-half the amount of the annual  
11 license or permit fee. The applicant must satisfy the board  
12 that he or she is of good moral character and otherwise  
13 possesses all qualifications required by law of licensees or  
14 permit holders. Licensees who graduated from chiropractic  
15 college after January 1, 2010, shall possess a bachelor's  
16 degree from an accredited college or university; however,  
17 absent a bachelor's degree, the requirement may be met by an  
18 academic graduate degree from a regionally accredited college  
19 or university and proof that the applicant has taken a  
20 nationally recognized standardized test commensurate with that  
21 applicant's graduate degree. Those licensees who graduated  
22 prior to January 1, 2010, are specifically exempt from the  
23 requirements of the preceding sentence. Additionally, the  
24 board may require the licensee to enroll in and pass a  
25 refresher course approved by the board at an accredited  
26 chiropractic college. The board's decision as to whether a  
27 course of study will be required and whether a particular~~

1 ~~course of study will be approved shall be made on an~~  
2 ~~individual case basis and shall be based on all relevant~~  
3 ~~circumstances of that case.~~

4 "Except as otherwise provided in subsection (b) or  
5 (c) of Section 34-24-165, any chiropractor who desires to  
6 return to the active practice of chiropractic shall submit an  
7 application for reinstatement accompanied by a nonrefundable  
8 reinstatement fee and a penalty. The amount of the  
9 reinstatement fee and penalty shall be established by rule of  
10 the board. The applicant shall possess good moral character  
11 and meet the educational requirements existing at the time of  
12 his or her initial licensing. The board, as a condition of  
13 reinstatement, may require the completion of a designated  
14 number of continuing education hours, the successful  
15 completion of refresher courses at a board approved accredited  
16 chiropractic college, or the passing of a law exam, or all of  
17 the above if required by the board.

18 "§34-24-177.

19 "The board shall not renew the annual certificate of  
20 registration as set forth in Section 34-24-123, 34-24-165, or  
21 34-24-176 of any licensee or permit holder against whom an  
22 administrative fine has been assessed by the board until the  
23 fine is paid in full. In the event that the fine is  
24 subsequently reduced or set aside on judicial review as  
25 provided in the Alabama Administrative Procedure Act, the  
26 licensee or permit holder shall be entitled to a prompt refund  
27 of the amount of the fine, but shall not be entitled to

1 interest thereon. If any order issued by the board or if any  
2 agreement between the board and any licensee or permit holder  
3 allows for the payment of fines or costs in installments, the  
4 licensee or permit holder shall be allowed to renew his or her  
5 license or permit provided the payments are current."

6 Section 2. Section 34-24-172, Code of Alabama 1975,  
7 is repealed.

8 Section 3. This act shall become effective on the  
9 first day of the third month following its passage and  
10 approval by the Governor, or its otherwise becoming law.