

open-enrollment charter schools access to state programs available to school districts if the open-enrollment charter schools comply with the requirements of the programs.

CROSS REFERENCE TO STATUTE. The new section implements the Texas Education Code, §28.0061, as added by Senate Bill 935, 84th Texas Legislature, Regular Session, 2015, and §12.104(d).

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on September 6, 2016.

TRD-201604631

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Texas Education Agency

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## TITLE 22. EXAMINING BOARDS

### PART 3. TEXAS BOARD OF CHIROPRACTIC EXAMINERS

#### CHAPTER 72. APPLICATIONS AND APPLICANTS

##### 22 TAC §72.6

The Texas Board of Chiropractic Examiners (Board) adopts amendments to Chapter 72, §72.6, concerning Time, Place and Scope of Application, without changes to the proposed text as published in the June 24, 2016, issue of the *Texas Register* (41 TexReg 4585). The amended text will not be republished.

The amended rule will assist the Board in serving the public, stakeholders and licensees. The amendment will reflect current examination practices and bring the rule into compliance with statutory guidelines contained within Subchapter G. License Requirements of the Chiropractic Act, and recognize the transition to an online jurisprudence examination.

This rule was proposed for publication at the Board's meeting on May 17, 2016. The proposed language was published on the Rules Committee and the Board agenda. Comment on the proposal was sought during the Rules Committee and the Board meetings prior to this publication in the *Texas Register*.

No comments were received regarding this amendment.

This amended rule is adopted under Texas Occupations Code §201.152, relating to rules and Subchapter G of the Chiropractic Act, License Requirements. Section 201.152 authorizes the Board to adopt rules necessary to regulate the practice of chiropractic to protect the public health and safety. Subchapter G provides the framework to authorize the Board to grant chiropractic licenses.

No other statutes, articles, or codes are affected by the amendment.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on September 7, 2016.

TRD-201604681

Courtney Ebeier

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#### CHAPTER 74. CHIROPRACTIC RADIOLOGIC TECHNOLOGISTS

##### 22 TAC §74.1

The Texas Board of Chiropractic Examiners (Board) adopts amendments to Chapter 74, §74.1, concerning Chiropractic Radiologic Technologists, without changes to the proposed text as published in the June 24, 2016, issue of the *Texas Register* (41 TexReg 4586). The amended text will not be republished.

This section established requirements and procedures related the rules of chiropractic practice.

The amendment is made as part of the Board's review of Chapter 74 to fulfill its ongoing duty to conduct agency rule review.

This rule was proposed for publication at the Board's meeting on May 17, 2016. The proposed language was published on the Rules Committee and the Board agenda. Comment on the proposal was sought during the Rules Committee and the Board meetings prior to this publication in the Register.

No comments were received regarding this amendment.

This amendment is adopted under Texas Occupations Code §201.152, which authorizes the Board to adopt rules necessary to regulate the practice of chiropractic to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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##### 22 TAC §74.2

The Texas Board of Chiropractic Examiners (Board) adopts amendments to Chapter 74, §74.2, concerning Registration of

Chiropractic Radiologic Technologists, without changes to the proposed text as published in the June 24, 2016, issue of the *Texas Register* (41 TexReg 4586) and will not be republished.

This section established requirements and procedures relating to the rules of chiropractic practice.

The amendment is made as part of the Board's review of Chapter 74 to fulfill its ongoing duty to conduct agency rule review.

This rule was proposed for publication at the Board's meeting on May 17, 2016. The proposed language was published on the Rules Committee and the Board agenda. Comment on the proposal was sought during the Rules Committee and the Board meetings prior to this publication in the Register.

No comments were received regarding this amendment.

This amendment is adopted under Texas Occupations Code §201.152, which authorizes the Board to adopt rules necessary to regulate the practice of chiropractic to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on September 7, 2016.

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## CHAPTER 78. RULES OF PRACTICE

### 22 TAC §78.6

The Texas Board of Chiropractic Examiners (Board) adopts amended Chapter 78, §78.6, concerning Required Fees and Charges, without changes to the proposed text as published in the June 24, 2016, issue of the *Texas Register* (41 TexReg 4588) and will not be republished.

The amendment is made to update the rule to reflect and ratify the Board's current Schedule of Fees regarding its jurisprudence examination and applicants that are being evaluated for licensure. It also acknowledges that a licensee may take a jurisprudence study course and receive 3 hours of CE. Finally, it contains an additional compliance tool for use by the Enforcement Committee.

This rule was proposed for publication at the Board's meeting on May 17, 2016. The proposed language was published on the Rules Committee and the Board agenda. Comment on the proposal was sought during the Rules Committee and the Board meetings prior to this publication in the Register.

No comments were received regarding this amendment.

This amendment is made under Texas Occupations Code §201.152, relating to rules. Section 201.152 authorizes the Board to adopt rules necessary to regulate the practice of chiropractic to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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For further information, please call: (512) 305-6715



## PART 9. TEXAS MEDICAL BOARD

### CHAPTER 185. PHYSICIAN ASSISTANTS

#### 22 TAC §§185.2, 185.4, 185.6, 185.7

The Texas Medical Board (Board) adopts amendments to §185.2, concerning Definitions, §185.4 concerning Procedural Rules for Licensure Applicants, §185.6, concerning Annual Renewal of License, and §185.7, concerning Temporary License. The amendments are adopted without changes to the proposed text as published in the May 13, 2016, issue of the *Texas Register* (41 TexReg 3419) and will not be republished.

The amendments to §185.2 add definitions for "Active Duty" and "Armed Forces of the United States" and amend definitions for "Military service member", "Military spouse" and "military veteran." These amendments are in accordance with the passage of SB 1307 (84th Regular Session) which amended Chapter 55 of the Texas Occupations Code.

The amendment to §185.4 expands subsection (f), Alternative Licensing Procedure, to include military service members and military veterans. The amendment also includes language allowing the executive director to waive any prerequisite to obtaining a license for an applicant described in the subsection, after reviewing the applicant's credentials. These amendments are in accordance with the passage of SB 1307 (84th Regular Session) which amended Chapter 55 of the Texas Occupations Code.

The amendment to §185.6 adds new subsection (b)(9) providing that a surgical assistant who is a military service member may request an extension of time, not to exceed two years, to complete any continuing education requirements. The amendment also adds new subsection (j) providing that military service members who hold a license to practice in Texas are entitled to two years of additional time to complete any other requirement related to the renewal of the military service member's license. This amendment is in accordance with the passage of SB 1307 (84th Regular Session) which amended Chapter 55 of the Texas Occupations Code.

The amendment to §185.7 changes an incorrect citation, §185.4(d), to the correct citation, §185.4(c)

No comments were received regarding adoption of the rules.

The amendments are adopted under the authority of the Texas Occupations Code Annotated, §204.101, which provides authority for the Board to adopt rules and bylaws as necessary to: gov-