

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1651 Chiropractic Education
SPONSOR(S): Patterson and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2640

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Health Care Regulation Committee		Hamrick	Mitchell
2) Education Appropriations Committee			
3) Health & Families Council			
4) _____			
5) _____			

SUMMARY ANALYSIS

HB 1651 allows a chiropractic college to establish an internship program at a college-based clinic.

The bill amends s. 400.9905, F.S. of the Health Care Clinic Act, to exempt a chiropractic clinic from certain licensure requirements when it is affiliated with an accredited college of chiropractic, and provides training for chiropractic students. The provision is similar to that for clinical facilities affiliated with an accredited medical school.

The bill creates s. 460.4064, F.S., to establish requirements for implementing a chiropractic college-based internship program. It includes registration requirements and establishes fees for participating interns. The bill provides that the Board of Chiropractic Medicine must ensure that the college-based internship program meets specified requirements.

This bill will take effect upon becoming a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government- The bill encourages participation in chiropractic-college based internship programs as an alternative to community-based internships. The bill requires the Board of Chiropractic Medicine to promulgate rules allowing the board to administer the registration of interns.

B. EFFECT OF PROPOSED CHANGES:

The bill amends s. 400.9905, F.S. of the Health Care Clinic Act, to exempt a chiropractic clinic from certain licensure requirements when it is affiliated with an accredited college of chiropractic, and provides training for chiropractic students. The language in the bill is similar to the exemption provided to clinical facilities affiliated with an accredited medical school, where training is provided for medical students, residents, or fellows.¹

The bill creates s. 460.4064, F.S., to provide requirements for implementing a chiropractic college-based internship program and registration for participating interns.

The provisions for the college-based internship program are:

- Any chiropractic student wishing to provide chiropractic treatment as an intern, must apply, remit a fee (not to exceed \$100), and be registered as a chiropractic intern; and
- The Board of Chiropractic medicine must *certify* that interns:
 - Are at least 21 years of age;
 - Have not committed any act or offense within or outside the state that would constitute the basis for disciplinary action; and
 - Are not currently under investigation in any state that would constitute the basis for disciplinary action.
- Registration as a chiropractic intern is valid for 1 year and may be renewed with a renewal fee (not to exceed \$100), as set by the board;
- A chiropractic intern is eligible to register if the chiropractic college-based internship program is approved by the Board of Chiropractic Medicine;
- The Board of Chiropractic Medicine must ensure that the college-based internship program meets the following *requirements*:
 - The program must meet current Council on Chiropractic Education standards for consumer protection;
 - The program must be a established component of the curriculum at the college;
 - The program must require interns to meet all requirements established by the Council on Chiropractic Education;
 - The program must provide supervision of interns by full-time or adjunct faculty, which must be included in a supervision plan that must be submitted to the college and approved by the Board of Chiropractic Medicine;
 - The *plan* must include the procedures that may be performed by interns, degree of supervision, faculty-student supervisory ratios, qualifications of faculty, and legal liability coverage of the intern;
- A college of chiropractic operating a college-based internship program must report to the Board of Chiropractic Medicine the names, license/certificate numbers of all members of the faculty participating in the program.

The bill provides legislative intent and authorizes the Board of Chiropractic Medicine the authority to adopt implementing rules.

¹ See s. 400.9905(4)(h), F.S.

BACKGROUND

Community-based Internship Program

A *community-based internship* is a program in which a student enrolled in the last year of a chiropractic college accredited by the Council on Chiropractic Education is approved to obtain required pre-graduation clinical experience in a chiropractic clinic or practice under the direct supervision of a doctor of chiropractic medicine according to the teaching protocols for the clinical practice requirements of the college. The doctor must be approved as an adjunct faculty member of the chiropractic college, in which the student is enrolled,²

Chiropractic Education

The Council on Chiropractic Education was incorporated in 1971 and is recognized by the United States Secretary of Education as the specialized accrediting agency for the Doctor of Chiropractic Degree Program.³

As of January 2005, there are 19 accredited chiropractic sites in the United States, and Palmer College of Chiropractic Florida is the only school accredited by the Council on Chiropractic Education Commission on Accreditation in Florida.

What is Chiropractic Medicine?

D.D. Palmer (1845-1913) founded the first chiropractic college in Davenport, Iowa.

According to the Palmer School of Chiropractic, the art of chiropractic focuses on adjustments to correct spinal malfunctions (called subluxations), in order to remove interference to the spinal cord and the nerves that exit between the bones of the spine.⁴

Chiropractors focus on the nerve system (the brain and spinal cord) which manages the body's vast chemical interactions to help ensure proper function.⁵

When bones of the spine become misaligned or move out of their normal position, they can distort the flow of information from the brain to the body. Without the proper information from the nerve system, the body cannot function to its full potential. Chiropractors gently correct misalignments (or vertebral subluxations) — to correct interference to the nerve system and the body's ability to control and coordinate its many functions.⁶

C. SECTION DIRECTORY:

Section 1. Amends s. 400.9905, F.S., to provide that the Health Care Clinic Act does not apply to clinical facilities affiliated with a college of chiropractic accredited by the Council on Chiropractic Education where training is provided for chiropractic students.

Section 2. Creates s. 460.4064, F.S., to provide the legislative intent; authorize college-based chiropractic internships and establish requirements for implementation of the program and registration of students.

Section 3. Provides the bill will take effect upon becoming a law.

² See s. 460.403(4), F.S.

³ Council on Chiropractic Education, *About CCE*, available at <http://www.cce-usa.org/CCE%20History.pdf>.

⁴ Palmer College of Chiropractic, *What is Chiropractic?*, available at <http://admissions.palmer.edu/info/whatis.htm>.

⁵ *Ibid.*

⁶ *Ibid.*

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See D. Fiscal Comments.

2. Expenditures:

See D. Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Students will be required to pay initial registration and renewal fees to the Board of Chiropractic Medicine.

D. FISCAL COMMENTS:

The Board of Chiropractic Medicine will gain additional revenue based upon the requirement for initial and renewal registration of interns.

According to the Department of Health, if bill becomes law as written, current resources can handle the anticipated workload to register interns.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill provides the Board of Chiropractic Medicine the authority to adopt rules defining supervisor eligibility criteria and to set appropriate fees.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Concern was raised that the bill provides a new provision in statute for college-based internships, but a definition of "college-based internship" is not provided. Section 460.402(6), F.S., provides an exemption for community-based interns. Section 460.403(7), F.S., provides a definition of direct

supervision and mentions community-based internships. It may be advantageous to add college-based internships into these sections of statute.

The Department of Health recommends that if Section 2 remains in the bill, they propose that Section 3 be amended to allow for an effective date of October 1, 2005, which would allow the Board of Chiropractic Medicine the opportunity to promulgate the necessary rules required to appropriately administer the registration of interns.

The department would be required to create a new procedure in its computerized licensure system in order to collect data in reference to the internship program and establish procedures for the collection of initial and renewal registration fees.

According to the Department of Health, this proposal was not discussed with Board of Chiropractic Medicine or staff. The Board of Chiropractic Medicine is concerned that the bill may add an additional financial and administrative burden on chiropractic students.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES