

1                                   A bill to be entitled  
 2           An act relating to chiropractors; amending s. 460.402,  
 3           F.S.; revising an exemption from regulation under ch.  
 4           460, F.S., for certain chiropractic students; amending  
 5           s. 460.403, F.S.; conforming definitions to changes  
 6           made by the act; amending s. 460.406, F.S.; revising  
 7           application requirements for licensure by examination;  
 8           conforming cross-references to changes made by the  
 9           act; amending s. 460.4062, F.S.; revising requirements  
 10          for the issuance of a chiropractic medicine faculty  
 11          certificate without examination; conforming a  
 12          provision to changes made by the act; amending ss.  
 13          460.4061, 460.4165, 460.4167, and 400.9905, F.S.;  
 14          conforming provisions to changes made by the act;  
 15          providing an effective date.

16  
 17   Be It Enacted by the Legislature of the State of Florida:

18  
 19           Section 1. Subsection (6) of section 460.402, Florida  
 20           Statutes, is amended to read:

21           460.402 Exceptions.—The provisions of this chapter shall  
 22           not apply to:

23           (6) A chiropractic student enrolled in a chiropractic  
 24           school, college, or program accredited by an accrediting agency  
 25           recognized by the United States Secretary of Education or a

26 | course of study leading to a degree in chiropractic from an  
27 | institution of higher education located outside the United  
28 | States that is approved by the board as reasonably comparable to  
29 | that of similar accredited institutions in the United States  
30 | based on information that includes evaluations by third parties  
31 | with experience in evaluating the comparability of educational  
32 | programs ~~the Council on Chiropractic Education~~ and participating  
33 | in either:

34 |       (a) A community-based internship under the direct  
35 | supervision of a doctor of chiropractic medicine who is  
36 | credentialed as an adjunct faculty member of a chiropractic  
37 | college in which the student is enrolled; or

38 |       (b) A chiropractic college clinical internship under the  
39 | direct supervision of a doctor of chiropractic medicine who is a  
40 | full-time, part-time, or adjunct faculty member of a  
41 | chiropractic college ~~located in this state and~~ accredited by an  
42 | accrediting agency recognized by the United States Secretary of  
43 | Education or an institution of higher education located outside  
44 | the United States that is approved by the board as reasonably  
45 | comparable to that of similar accredited institutions in the  
46 | United States based on information that includes evaluations by  
47 | third parties with experience in evaluating the comparability of  
48 | educational programs ~~the Council on Chiropractic Education~~ and  
49 | who holds a current, active Florida chiropractor's license.

50 |       Section 2. Subsection (4) and paragraph (a) of subsection

51 (9) of section 460.403, Florida Statutes, are amended to read:

52 460.403 Definitions.—As used in this chapter, the term:

53 (4) (a) "Community-based internship" means a program in  
54 which a student enrolled in the last year of a chiropractic  
55 college accredited by an accrediting agency recognized by the  
56 United States Secretary of Education or a course of study  
57 leading to a degree in chiropractic from an institution of  
58 higher education located outside the United States that is  
59 approved by the board as reasonably comparable to that of  
60 similar accredited institutions in the United States based on  
61 information that includes evaluations by third parties with  
62 experience in evaluating the comparability of educational  
63 programs ~~the Council on Chiropractic Education~~ is approved to  
64 obtain required pregraduation clinical experience in a  
65 chiropractic clinic or practice under the direct supervision of  
66 a doctor of chiropractic medicine approved as an adjunct faculty  
67 member of the chiropractic college in which the student is  
68 enrolled, according to the teaching protocols for the clinical  
69 practice requirements of the college.

70 (b) "Chiropractic college clinical internship" means a  
71 program in which a student enrolled in a chiropractic college  
72 ~~located in this state and~~ accredited by an accrediting agency  
73 recognized by the United States Secretary of Education or a  
74 course of study leading to a degree in chiropractic from an  
75 institution of higher education located outside the United

76 | States that is approved by the board as reasonably comparable to  
77 | that of similar accredited institutions in the United States  
78 | based on information that includes evaluations by third parties  
79 | with experience in evaluating the comparability of educational  
80 | programs ~~the Council on Chiropractic Education~~ obtains clinical  
81 | experience pursuant to the chiropractic college's curriculum in  
82 | a classroom or chiropractic clinic operated by the chiropractic  
83 | college, according to the teaching protocols for the clinical  
84 | practice requirements of the college.

85 | (9) (a) "Practice of chiropractic medicine" means a  
86 | noncombative principle and practice consisting of the science,  
87 | philosophy, and art of the adjustment, manipulation, and  
88 | treatment of the human body in which vertebral subluxations and  
89 | other malpositioned articulations and structures that are  
90 | interfering with the normal generation, transmission, and  
91 | expression of nerve impulse between the brain, organs, and  
92 | tissue cells of the body, thereby causing disease, are adjusted,  
93 | manipulated, or treated, thus restoring the normal flow of nerve  
94 | impulse which produces normal function and consequent health by  
95 | chiropractic physicians using specific chiropractic adjustment  
96 | or manipulation techniques taught in chiropractic colleges  
97 | accredited by an accrediting agency recognized by the United  
98 | States Secretary of Education or a course of study leading to a  
99 | degree in chiropractic from an institution of higher education  
100 | located outside the United States that is approved by the board

101 as reasonably comparable to that of similar accredited  
 102 institutions in the United States based on information that  
 103 includes evaluations by third parties with experience in  
 104 evaluating the comparability of educational programs ~~the Council~~  
 105 ~~on Chiropractic Education~~. No person other than a licensed  
 106 chiropractic physician may render chiropractic services,  
 107 chiropractic adjustments, or chiropractic manipulations.

108 Section 3. Section 460.406, Florida Statutes, is amended  
 109 to read:

110 460.406 Licensure by examination.—

111 (1) Any person desiring to be licensed as a chiropractic  
 112 physician must apply to the department to take the licensure  
 113 examination. There shall be an application fee set by the board  
 114 not to exceed \$100 which shall be nonrefundable. There shall  
 115 also be an examination fee not to exceed \$500 plus the actual  
 116 per applicant cost to the department for purchase of portions of  
 117 the examination from the National Board of Chiropractic  
 118 Examiners or a similar national organization, which may be  
 119 refundable if the applicant is found ineligible to take the  
 120 examination. The department shall examine each applicant who the  
 121 board certifies has:

122 (a) 1. Completed the application form and remitted the  
 123 appropriate fee.

124 2. ~~(b)~~ Submitted proof satisfactory to the department that  
 125 he or she is not less than 18 years of age.

126        3.(e) Submitted proof satisfactory to the department that  
127 he or she is a graduate of a chiropractic college ~~which is~~  
128 accredited by an accrediting agency recognized by the United  
129 States Secretary of Education or a course of study leading to a  
130 degree in chiropractic from an institution of higher education  
131 located outside the United States that is approved by the board  
132 as reasonably comparable to that of similar accredited  
133 institutions in the United States based on information that  
134 includes evaluations by third parties with experience in  
135 evaluating the comparability of educational programs ~~or has~~  
136 ~~status with the Council on Chiropractic Education or its~~  
137 ~~predecessor agency~~. However, any applicant who is a graduate of  
138 a chiropractic college that was initially accredited by the  
139 Council on Chiropractic Education in 1995, who graduated from  
140 such college within the 4 years immediately preceding such  
141 accreditation, and who is otherwise qualified shall be eligible  
142 to take the examination. No application for a license to  
143 practice chiropractic medicine shall be denied solely because  
144 the applicant is a graduate of a chiropractic college that  
145 subscribes to one philosophy of chiropractic medicine as  
146 distinguished from another.

147        4.a.(d)1. For an applicant who has matriculated in a  
148 chiropractic college before ~~prior to~~ July 2, 1990, completed at  
149 least 2 years of residence college work, consisting of a minimum  
150 of one-half the work acceptable for a bachelor's degree granted

151 on the basis of a 4-year period of study, in a college or  
152 university accredited by an accrediting agency recognized and  
153 approved by the United States Department of Education. However,  
154 before ~~prior to~~ being certified by the board to sit for the  
155 examination, each applicant who has matriculated in a  
156 chiropractic college after July 1, 1990, shall have been granted  
157 a bachelor's degree, based upon 4 academic years of study, by a  
158 college or university accredited by a regional accrediting  
159 agency which is a member of the Commission on Recognition of  
160 Postsecondary Accreditation.

161 b.(I)2. Effective July 1, 2000, completed, before ~~prior to~~  
162 matriculation in a chiropractic college, at least 3 years of  
163 residence college work, consisting of a minimum of 90 semester  
164 hours leading to a bachelor's degree in a liberal arts college  
165 or university accredited by an accrediting agency recognized and  
166 approved by the United States Department of Education. However,  
167 before ~~prior to~~ being certified by the board to sit for the  
168 examination, each applicant who has matriculated in a  
169 chiropractic college after July 1, 2000, shall have been granted  
170 a bachelor's degree from an institution holding accreditation  
171 for that degree from a regional accrediting agency which is  
172 recognized by the United States Department of Education. The  
173 applicant's chiropractic degree must consist of credits earned  
174 in the chiropractic program and may not include academic credit  
175 for courses from the bachelor's degree; or

176 (II) Completed an educational program located outside of  
 177 the United States, if the board finds the educational program is  
 178 reasonably comparable to the requirement of this paragraph based  
 179 on information that includes evaluations by third parties with  
 180 experience in evaluating the comparability of educational  
 181 programs.

182 5.-(e) Successfully completed the National Board of  
 183 Chiropractic Examiners certification examination in parts I, II,  
 184 III, and IV, and the physiotherapy examination of the National  
 185 Board of Chiropractic Examiners, with a score approved by the  
 186 board.

187 6.-(f) Submitted to the department a set of fingerprints on  
 188 a form and under procedures specified by the department, along  
 189 with payment in an amount equal to the costs incurred by the  
 190 Department of Health for the criminal background check of the  
 191 applicant; or

192 (b) For an applicant who holds a valid license to practice  
 193 chiropractic in another state or territory of the United States,  
 194 demonstrated that he or she:

195 1. Has actively practiced chiropractic in another state or  
 196 territory of the United States for the preceding 10 years  
 197 without having his or her license acted against by the licensing  
 198 authority of any jurisdiction.

199 2. Meets the requirements of subparagraphs (a)1., 2., 3.,  
 200 4., and 6.



201  
202 ~~The board may require an applicant who graduated from an~~  
203 ~~institution accredited by the Council on Chiropractic Education~~  
204 ~~more than 10 years before the date of application to the board~~  
205 ~~to take the National Board of Chiropractic Examiners Special~~  
206 ~~Purposes Examination for Chiropractic, or its equivalent, as~~  
207 ~~determined by the board. The board shall establish by rule a~~  
208 ~~passing score.~~

209 (2) For those applicants applying for the certification  
210 examination who have matriculated prior to July 1, 1996, in a  
211 chiropractic college, the board shall waive the provisions of  
212 subparagraph (1)(a)3. ~~paragraph (1)(c)~~ if the applicant is a  
213 graduate of a chiropractic college which has been denied  
214 accreditation or approval on the grounds that its curriculum  
215 does not include the training in acupuncture necessary for the  
216 completion of the certification examination or is a graduate of  
217 a chiropractic college where acupuncture is not taught or  
218 offered if the college is accredited by or has status with the  
219 Council on Chiropractic Education or its predecessor.

220 (3) An applicant for the licensure examination may elect  
221 not to take the certification examination to use acupuncture.  
222 The department shall, in addition to the licensing exam, offer  
223 an examination for certification to use acupuncture. An  
224 applicant may elect to take the certification examination at the  
225 time of taking the licensure examination. Passage of the

226 certification examination shall not grant any applicant the  
 227 right to practice chiropractic medicine absent the passage of  
 228 the licensing examination.

229 (4) The department shall submit written notification  
 230 within 5 working days to applicants who have successfully  
 231 completed the requirements of subparagraphs (1) (a)1.-5.  
 232 ~~paragraphs (1) (a) - (e)~~ and who have successfully passed the state  
 233 licensure examination. An applicant who is notified in writing  
 234 by the department of the successful completion of requirements  
 235 in subparagraphs (1) (a)1.-5. ~~paragraphs (1) (a) - (e)~~ and who has  
 236 successfully passed the state licensure examination may lawfully  
 237 practice pending receipt of the certificate of licensure, and  
 238 the written notification shall act as evidence of licensure  
 239 entitling the chiropractic physician to practice for a maximum  
 240 period of 45 days or until the licensing fee is received by the  
 241 department whichever is sooner.

242 (5) A student in a school or college of chiropractic  
 243 accredited by an accrediting agency recognized by the United  
 244 States Secretary of Education or a course of study leading to a  
 245 degree in chiropractic from an institution of higher education  
 246 located outside the United States that is approved by the board  
 247 as reasonably comparable to that of similar accredited  
 248 institutions in the United States based on information that  
 249 includes evaluations by third parties with experience in  
 250 evaluating the comparability of educational programs ~~the Council~~

251 ~~on Chiropractic Education or its successor~~ in the final year of  
252 the program may file an application pursuant to subsection (1),  
253 take all examinations required for licensure, and submit a set  
254 of fingerprints, ~~and pay all fees required for licensure~~. A  
255 chiropractic student who successfully completes the licensure  
256 examinations and who otherwise meets all requirements for  
257 licensure as a chiropractic physician during the student's final  
258 year must have graduated before being certified for licensure  
259 pursuant to this section.

260 Section 4. Subsection (1) of section 460.4062, Florida  
261 Statutes, are amended to read:

262 460.4062 Chiropractic medicine faculty certificate.—

263 (1) The department may issue a chiropractic medicine  
264 faculty certificate without examination to an individual who  
265 remits a nonrefundable application fee, not to exceed \$100 as  
266 determined by rule of the board, and who demonstrates to the  
267 board that he or she meets the following requirements:

268 (a) Is a graduate of a ~~an accredited~~ school or college of  
269 chiropractic accredited by an accrediting agency recognized by  
270 the United States Secretary of Education or a course of study  
271 leading to a degree in chiropractic from an institution of  
272 higher education located outside the United States that is  
273 approved by the board as reasonably comparable to that of  
274 similar accredited institutions in the United States based on  
275 information that includes evaluations by third parties with

276 experience in evaluating the comparability of educational  
277 programs ~~the Council on Chiropractic Education.~~

278 (b) Holds a valid current license to practice chiropractic  
279 medicine in another jurisdiction in the United States.

280 (c) Is at least 21 years of age and of good moral  
281 character.

282 (d) Has not committed any act or offense in any  
283 jurisdiction which would constitute the basis for discipline  
284 under this chapter or chapter 456.

285 (e)1. Performs research or has been offered and has  
286 accepted a full-time or part-time faculty appointment to teach  
287 in a program of chiropractic medicine at a publicly funded state  
288 university or college or at a college of chiropractic located in  
289 the state and accredited by an accrediting agency recognized by  
290 the United States Secretary of Education ~~the Council on~~  
291 ~~Chiropractic Education~~; and

292 2. Provides a certification from the dean of the  
293 appointing college acknowledging the appointment.

294 Section 5. Paragraph (a) of subsection (1) of section  
295 460.4061, Florida Statutes, is amended to read:

296 460.4061 Restricted license.—

297 (1) An applicant for licensure as a chiropractic physician  
298 may apply to the department for a restricted license without  
299 undergoing a state or national written or clinical competency  
300 examination for licensure if the applicant initially applies not

301 later than October 31, 1994, for the restricted license and:

302 (a) Holds a degree from a college of chiropractic  
 303 accredited by an accrediting agency recognized by the United  
 304 States Secretary of Education ~~the Council on Chiropractic~~  
 305 ~~Education or its predecessor agency~~ and holds a bachelor's  
 306 degree.

307 Section 6. Paragraph (b) of subsection (13) of section  
 308 460.4165, Florida Statutes, is amended to read:

309 460.4165 Certified chiropractic physician's assistants.—

310 (13) CERTIFIED CHIROPRACTIC ASSISTANT CERTIFICATION  
 311 RENEWAL.—The certification must be renewed biennially.

312 (b) Each certified chiropractic physician's assistant  
 313 shall biennially complete 24 hours of continuing education  
 314 courses approved by the board and sponsored by an accrediting  
 315 agency recognized by the United States Secretary of Education  
 316 ~~chiropractic colleges accredited by the Council on Chiropractic~~  
 317 ~~Education and approved by the board.~~ The board shall approve  
 318 those courses that build upon the basic courses required for the  
 319 practice of chiropractic medicine, and the board may also  
 320 approve courses in adjunctive modalities. The board may make  
 321 exception from the requirements of this section in emergency or  
 322 hardship cases. The board may adopt rules within the  
 323 requirements of this section which are necessary for its  
 324 implementation.

325 Section 7. Paragraph (d) of subsection (1) of section

326 | 460.4167, Florida Statutes, is amended to read:

327 |       460.4167 Proprietorship by persons other than licensed  
328 | chiropractic physicians.—

329 |       (1) A person may not employ a chiropractic physician  
330 | licensed under this chapter or engage a chiropractic physician  
331 | licensed under this chapter as an independent contractor to  
332 | provide services that chiropractic physicians are authorized to  
333 | offer under this chapter, unless the person is any of the  
334 | following:

335 |       (d) A clinical facility that is affiliated with a college  
336 | of chiropractic accredited by an accrediting agency recognized  
337 | by the United States Secretary of Education ~~the Council on~~  
338 | ~~Chiropractic Education~~ at which training is provided for  
339 | chiropractic students.

340 |       Section 8. Paragraph (j) of subsection (4) of section  
341 | 400.9905, Florida Statutes, is amended to read:

342 |       400.9905 Definitions.—

343 |       (4) "Clinic" means an entity where health care services  
344 | are provided to individuals and which tenders charges for  
345 | reimbursement for such services, including a mobile clinic and a  
346 | portable equipment provider. As used in this part, the term does  
347 | not include and the licensure requirements of this part do not  
348 | apply to:

349 |       (j) Clinical facilities affiliated with a college of  
350 | chiropractic accredited by an accrediting agency recognized by

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351 | the United States Secretary of Education ~~the Council on~~  
352 | ~~Chiropractic Education~~ at which training is provided for  
353 | chiropractic students.

354 |  
355 | Notwithstanding this subsection, an entity shall be deemed a  
356 | clinic and must be licensed under this part in order to receive  
357 | reimbursement under the Florida Motor Vehicle No-Fault Law, ss.  
358 | 627.730-627.7405, unless exempted under s. 627.736(5)(h).

359 | Section 9. This act shall take effect upon becoming a law.