

1 A bill to be entitled
 2 An act relating to recognition of chiropractic
 3 accrediting entities; amending ss. 400.9905, 460.402,
 4 460.403, 460.406, 460.4061, 460.4062, 460.4165, and
 5 460.4167, F.S.; replacing the Council of Chiropractic
 6 Education with an accrediting agency recognized by the
 7 United States Department of Education for
 8 accreditation purposes; providing an effective date.
 9

10 Be It Enacted by the Legislature of the State of Florida:
 11

12 Section 1. Paragraph (j) of subsection (4) of section
 13 400.9905, Florida Statutes, is amended to read:

14 400.9905 Definitions.—

15 (4) "Clinic" means an entity where health care services
 16 are provided to individuals and which tenders charges for
 17 reimbursement for such services, including a mobile clinic and a
 18 portable equipment provider. As used in this part, the term does
 19 not include and the licensure requirements of this part do not
 20 apply to:

21 (j) Clinical facilities affiliated with a college of
 22 chiropractic accredited by an accrediting agency recognized by
 23 the United States Department of Education ~~the Council on~~
 24 ~~Chiropractic Education~~ at which training is provided for
 25 chiropractic students.

26
 27 Notwithstanding this subsection, an entity shall be deemed a
 28 clinic and must be licensed under this part in order to receive
 29 reimbursement under the Florida Motor Vehicle No-Fault Law, ss.
 30 627.730-627.7405, unless exempted under s. 627.736(5)(h).

31 Section 2. Paragraph (b) of subsection (6) of section
 32 460.402, Florida Statutes, is amended to read:

33 460.402 Exceptions.—The provisions of this chapter shall
 34 not apply to:

35 (6) A chiropractic student enrolled in a chiropractic
 36 college accredited by an accrediting agency recognized by the
 37 United States Department of Education ~~the Council on~~
 38 ~~Chiropractic Education~~ and participating in either:

39 (a) A community-based internship under the direct
 40 supervision of a doctor of chiropractic medicine who is
 41 credentialed as an adjunct faculty member of a chiropractic
 42 college in which the student is enrolled; or

43 (b) A chiropractic college clinical internship under the
 44 direct supervision of a doctor of chiropractic medicine who is a
 45 full-time, part-time, or adjunct faculty member of a
 46 chiropractic college located in this state and accredited by an
 47 accrediting agency recognized by the United States Department of
 48 Education ~~by the Council on Chiropractic Education~~ and who holds
 49 a current, active Florida chiropractor's license.

50 Section 3. 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 Department of Education ~~the Council on~~
 57 ~~Chiropractic Education~~ is approved to obtain required
 58 pregraduation clinical experience in a chiropractic clinic or
 59 practice under the direct supervision of a doctor of
 60 chiropractic medicine approved as an adjunct faculty member of
 61 the chiropractic college in which the student is enrolled,
 62 according to the teaching protocols for the clinical practice
 63 requirements of the college.

64 (b) "Chiropractic college clinical internship" means a
 65 program in which a student enrolled in a chiropractic college
 66 located in this state and accredited an accrediting agency
 67 recognized by the United States Department of Education ~~by the~~
 68 ~~Council on Chiropractic Education~~ obtains clinical experience
 69 pursuant to the chiropractic college's curriculum in a classroom
 70 or chiropractic clinic operated by the chiropractic college,
 71 according to the teaching protocols for the clinical practice
 72 requirements of the college.

73 (9) (a) "Practice of chiropractic medicine" means a
 74 noncombative principle and practice consisting of the science,
 75 philosophy, and art of the adjustment, manipulation, and

76 treatment of the human body in which vertebral subluxations and
 77 other malpositioned articulations and structures that are
 78 interfering with the normal generation, transmission, and
 79 expression of nerve impulse between the brain, organs, and
 80 tissue cells of the body, thereby causing disease, are adjusted,
 81 manipulated, or treated, thus restoring the normal flow of nerve
 82 impulse which produces normal function and consequent health by
 83 chiropractic physicians using specific chiropractic adjustment
 84 or manipulation techniques taught in chiropractic colleges
 85 accredited by an accrediting agency recognized by the United
 86 States Department of Education ~~the Council on Chiropractic~~
 87 ~~Education~~. No person other than a licensed chiropractic
 88 physician may render chiropractic services, chiropractic
 89 adjustments, or chiropractic manipulations.

90 Section 4. Subsections (1), (2), and (5) of section
 91 460.406, Florida Statutes, are amended to read:

92 460.406 Licensure by examination.—

93 (1) Any person desiring to be licensed as a chiropractic
 94 physician must apply to the department to take the licensure
 95 examination. There shall be an application fee set by the board
 96 not to exceed \$100 which shall be nonrefundable. There shall
 97 also be an examination fee not to exceed \$500 plus the actual
 98 per applicant cost to the department for purchase of portions of
 99 the examination from the National Board of Chiropractic
 100 Examiners or a similar national organization, which may be

101 refundable if the applicant is found ineligible to take the
 102 examination. The department shall examine each applicant whom
 103 the board certifies has met all of the following criteria:

104 (a) Completed the application form and remitted the
 105 appropriate fee.

106 (b) Submitted proof satisfactory to the department that he
 107 or she is not less than 18 years of age.

108 (c) Submitted proof satisfactory to the department that he
 109 or she is a graduate of a chiropractic college which is
 110 accredited by or has status with an accrediting agency
 111 recognized by the United States Department of Education ~~the~~
 112 ~~Council on Chiropractic Education~~ or its predecessor agency.

113 However, any applicant who is a graduate of a chiropractic
 114 college that was initially accredited by the Council on
 115 Chiropractic Education in 1995, who graduated from such college
 116 within the 4 years immediately preceding such accreditation, and
 117 who is otherwise qualified is eligible to take the examination.
 118 An application for a license to practice chiropractic medicine
 119 may not be denied solely because the applicant is a graduate of
 120 a chiropractic college that subscribes to one philosophy of
 121 chiropractic medicine as distinguished from another.

122 (d)1. For an applicant who has matriculated in a
 123 chiropractic college before July 2, 1990, completed at least 2
 124 years of residence college work, consisting of a minimum of one-
 125 half the work acceptable for a bachelor's degree granted on the

126 basis of a 4-year period of study, in a college or university
127 accredited by an institutional accrediting agency recognized and
128 approved by the United States Department of Education. However,
129 before being certified by the board to sit for the examination,
130 each applicant who has matriculated in a chiropractic college
131 after July 1, 1990, must have been granted a bachelor's degree,
132 based upon 4 academic years of study, by a college or university
133 accredited by an institutional accrediting agency that is a
134 member of the Commission on Recognition of Postsecondary
135 Accreditation.

136 2. Effective July 1, 2000, completed, before matriculation
137 in a chiropractic college, at least 3 years of residence college
138 work, consisting of a minimum of 90 semester hours leading to a
139 bachelor's degree in a liberal arts college or university
140 accredited by an institutional accrediting agency recognized and
141 approved by the United States Department of Education. However,
142 before being certified by the board to sit for the examination,
143 each applicant who has matriculated in a chiropractic college
144 after July 1, 2000, must have been granted a bachelor's degree
145 from an institution holding accreditation for that degree from
146 an institutional accrediting agency that is recognized by the
147 United States Department of Education. The applicant's
148 chiropractic degree must consist of credits earned in the
149 chiropractic program and may not include academic credit for
150 courses from the bachelor's degree.

151 (e) Successfully completed the National Board of
 152 Chiropractic Examiners certification examination in parts I, II,
 153 III, and IV, and the physiotherapy examination of the National
 154 Board of Chiropractic Examiners, with a score approved by the
 155 board.

156 (f) Submitted to the department a set of fingerprints on a
 157 form and under procedures specified by the department, along
 158 with payment in an amount equal to the costs incurred by the
 159 Department of Health for the criminal background check of the
 160 applicant.

161
 162 The board may require an applicant who graduated from an
 163 institution accredited by an accrediting agency recognized by
 164 the United States Department of Education ~~the Council on~~
 165 ~~Chiropractic Education~~ more than 10 years before the date of
 166 application to the board to take the National Board of
 167 Chiropractic Examiners Special Purposes Examination for
 168 Chiropractic, or its equivalent, as determined by the board. The
 169 board shall establish by rule a passing score.

170 (2) For those applicants applying for the certification
 171 examination who have matriculated prior to July 1, 1996, in a
 172 chiropractic college, the board shall waive the provisions of
 173 paragraph (1)(c) if the applicant is a graduate of a
 174 chiropractic college which has been denied accreditation or
 175 approval on the grounds that its curriculum does not include the

176 training in acupuncture necessary for the completion of the
 177 certification examination or is a graduate of a chiropractic
 178 college where acupuncture is not taught or offered if the
 179 college is accredited by or has status with an accrediting
 180 agency recognized by the United States Department of Education
 181 ~~the Council on Chiropractic Education~~ or its predecessor.

182 (5) A student in a school or college of chiropractic
 183 accredited by an accrediting agency recognized by the United
 184 States Department of Education ~~the Council on Chiropractic~~
 185 ~~Education~~ or its successor in the final year of the program may
 186 file an application pursuant to subsection (1), take all
 187 examinations required for licensure, submit a set of
 188 fingerprints, and pay all fees required for licensure. A
 189 chiropractic student who successfully completes the licensure
 190 examinations and who otherwise meets all requirements for
 191 licensure as a chiropractic physician during the student's final
 192 year must have graduated before being certified for licensure
 193 pursuant to this section.

194 Section 5. Paragraph (a) of subsection (1) of section
 195 460.4061, Florida Statutes, is amended to read:

196 460.4061 Restricted license.—

197 (1) An applicant for licensure as a chiropractic physician
 198 may apply to the department for a restricted license without
 199 undergoing a state or national written or clinical competency
 200 examination for licensure if the applicant initially applies not

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

202 (a) Holds a degree from a college of chiropractic
 203 accredited by an accrediting agency recognized by the United
 204 States Department of Education ~~the Council on Chiropractic~~
 205 ~~Education~~ or its predecessor agency and holds a bachelor's
 206 degree.

207 Section 6. Paragraphs (a) and (e) of subsection (1) of
 208 section 460.4062, Florida Statutes, are amended to read:

209 460.4062 Chiropractic medicine faculty certificate.—

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

215 (a) Is a graduate of an accredited school or college of
 216 chiropractic accredited by an accrediting agency recognized by
 217 the United States Department of Education ~~the Council on~~
 218 ~~Chiropractic Education~~.

219 (e)1. Performs research or has been offered and has
 220 accepted a full-time or part-time faculty appointment to teach
 221 in a program of chiropractic medicine at a publicly funded state
 222 university or college or at a college of chiropractic located in
 223 the state and accredited by an accrediting agency recognized by
 224 the United States Department of Education ~~the Council on~~
 225 ~~Chiropractic Education~~; and

226 2. Provides a certification from the dean of the
227 appointing college acknowledging the appointment.

228 Section 7. Paragraph (b) of subsection (13) of section
229 460.4165, Florida Statutes, is amended to read:

230 460.4165 Certified chiropractic physician's assistants.—

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

233 (b) Each certified chiropractic physician's assistant
234 shall biennially complete 24 hours of continuing education
235 courses sponsored by chiropractic colleges accredited by an
236 accrediting school recognized by the United States Department of
237 Education ~~the Council on Chiropractic Education~~ and approved by
238 the board. The board shall approve those courses that build upon
239 the basic courses required for the practice of chiropractic
240 medicine, and the board may also approve courses in adjunctive
241 modalities. The board may make exception from the requirements
242 of this section in emergency or hardship cases. The board may
243 adopt rules within the requirements of this section which are
244 necessary for its implementation.

245 Section 8. Paragraph (d) of subsection (1) of section
246 460.4167, Florida Statutes, is amended to read:

247 460.4167 Proprietorship by persons other than licensed
248 chiropractic physicians.—

249 (1) A person may not employ a chiropractic physician
250 licensed under this chapter or engage a chiropractic physician

HB 1077

2023

251 licensed under this chapter as an independent contractor to
252 provide services that chiropractic physicians are authorized to
253 offer under this chapter, unless the person is any of the
254 following:

255 (d) A clinical facility that is affiliated with a college
256 of chiropractic accredited by an accrediting agency recognized
257 by the United States Department of Education ~~the Council on~~
258 ~~Chiropractic Education~~ at which training is provided for
259 chiropractic students.

260 Section 9. This act shall take effect July 1, 2023.