

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Hunschofsky offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsection (9) of section 460.403, Florida Statutes, is amended to read:

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

(9) (a) "Practice of chiropractic medicine" means a noncombative principle and practice consisting of the science, philosophy, and art of the adjustment, manipulation, and treatment of the human body in which vertebral subluxations and other malpositioned articulations and structures that are interfering with the normal generation, transmission, and

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14 expression of nerve impulse between the brain, organs, and  
15 tissue cells of the body, thereby causing disease, are adjusted,  
16 manipulated, or treated, thus restoring the normal flow of nerve  
17 impulse which produces normal function and consequent health by  
18 chiropractic physicians using specific chiropractic adjustment  
19 or manipulation techniques taught in chiropractic colleges  
20 accredited by the Council on Chiropractic Education. No person  
21 other than a licensed chiropractic physician may render  
22 chiropractic services, chiropractic adjustments, or chiropractic  
23 manipulations.

24 (b) Any chiropractic physician who has complied with the  
25 provisions of this chapter may examine, analyze, and diagnose  
26 the human living body and its diseases by the use of any  
27 physical, chemical, electrical, or thermal method; use the X ray  
28 for diagnosing; phlebotomize; and use any other general method  
29 of examination for diagnosis and analysis taught in any school  
30 of chiropractic.

31 (c)1. Chiropractic physicians may adjust, manipulate, or  
32 treat the human body by manual, mechanical, electrical, or  
33 natural methods; by the use of physical means or physiotherapy,  
34 including light, heat, water, or exercise; by the use of  
35 acupuncture; by the use of monofilament intramuscular  
36 stimulation treatment, also known as dry needling, for trigger  
37 points or myofascial pain; or by the administration of foods,  
38 food concentrates, food extracts, and items for which a

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39 prescription is not required and may apply first aid and  
40 hygiene, but chiropractic physicians are expressly prohibited  
41 from prescribing or administering to any person any legend drug  
42 except as authorized under subparagraph 2., from performing any  
43 surgery except as stated herein, or from practicing obstetrics.

44 2. Notwithstanding the prohibition against prescribing and  
45 administering legend drugs under subparagraph 1. or s.  
46 499.83(2)(c), pursuant to board rule chiropractic physicians may  
47 order, store, and administer, for emergency purposes only at the  
48 chiropractic physician's office or place of business,  
49 prescription medical oxygen and may also order, store, and  
50 administer the following topical anesthetics in aerosol form:

51 a. Any solution consisting of 25 percent ethylchloride and  
52 75 percent dichlorodifluoromethane.

53 b. Any solution consisting of 15 percent  
54 dichlorodifluoromethane and 85 percent  
55 trichloromonofluoromethane.

56  
57 However, this paragraph does not authorize a chiropractic  
58 physician to prescribe medical oxygen as defined in s.  
59 499.82(10) ~~chapter 499~~.

60 (d) Chiropractic physicians shall have the privileges of  
61 services from the department's laboratories.

62 (e) The term "chiropractic medicine," "chiropractic,"  
63 "doctor of chiropractic," or "chiropractor" shall be synonymous

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64 with "chiropractic physician," and each term shall be construed  
65 to mean a practitioner of chiropractic medicine as the same has  
66 been defined herein. Chiropractic physicians may analyze and  
67 diagnose the physical conditions of the human body to determine  
68 the abnormal functions of the human organism and to determine  
69 such functions as are abnormally expressed and the cause of such  
70 abnormal expression.

71 (f) Any chiropractic physician who has complied with the  
72 provisions of this chapter is authorized to analyze and diagnose  
73 abnormal bodily functions and to adjust the physical  
74 representative of the primary cause of disease as is herein  
75 defined and provided. As an incident to the care of the sick,  
76 chiropractic physicians may advise and instruct patients in all  
77 matters pertaining to hygiene and sanitary measures as taught  
78 and approved by recognized chiropractic schools and colleges. A  
79 chiropractic physician may not use acupuncture until certified  
80 by the board. Certification shall be granted to chiropractic  
81 physicians who have satisfactorily completed the required  
82 coursework in acupuncture and after successful passage of an  
83 appropriate examination as administered by the department. The  
84 required coursework shall have been provided by a college or  
85 university which is recognized by an accrediting agency approved  
86 by the United States Department of Education.

87 Section 2. Paragraph (d) of subsection (1) of section  
88 460.406, Florida Statutes, is amended to read:

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89 460.406 Licensure by examination.—

90 (1) Any person desiring to be licensed as a chiropractic  
91 physician must apply to the department to take the licensure  
92 examination. There shall be an application fee set by the board  
93 not to exceed \$100 which shall be nonrefundable. There shall  
94 also be an examination fee not to exceed \$500 plus the actual  
95 per applicant cost to the department for purchase of portions of  
96 the examination from the National Board of Chiropractic  
97 Examiners or a similar national organization, which may be  
98 refundable if the applicant is found ineligible to take the  
99 examination. The department shall examine each applicant whom  
100 the board certifies has met all of the following criteria:

101 (d)1. For an applicant who has matriculated in a  
102 chiropractic college before July 2, 1990, completed at least 2  
103 years of residence college work, consisting of a minimum of one-  
104 half the work acceptable for a bachelor's degree granted on the  
105 basis of a 4-year period of study, in a college or university  
106 accredited by an institutional accrediting agency recognized and  
107 approved by the United States Department of Education. However,  
108 before being certified by the board to sit for the examination,  
109 each applicant who has matriculated in a chiropractic college  
110 after July 1, 1990, must have been granted a bachelor's degree,  
111 based upon 4 academic years of study, by a college or university  
112 accredited by an institutional accrediting agency that is a  
113 member of the Commission on Recognition of Postsecondary

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114 Accreditation or have produced a credentials evaluation report  
115 from a board-approved organization that deems the applicant's  
116 education equivalent to a bachelor's degree.

117 2. Effective July 1, 2000, completed, before matriculation  
118 in a chiropractic college, at least 3 years of residence college  
119 work, consisting of a minimum of 90 semester hours leading to a  
120 bachelor's degree in a liberal arts college or university  
121 accredited by an institutional accrediting agency recognized and  
122 approved by the United States Department of Education or  
123 produced a credentials evaluation report from a board-approved  
124 organization that deems the applicant's education equivalent to  
125 a bachelor's degree. However, before being certified by the  
126 board to sit for the examination, each applicant who has  
127 matriculated in a chiropractic college after July 1, 2000, must  
128 have been granted a bachelor's degree from an institution  
129 holding accreditation for that degree from an institutional  
130 accrediting agency that is recognized by the United States  
131 Department of Education or have produced a credentials  
132 evaluation report from a board-approved organization that deems  
133 the applicant's education equivalent to a bachelor's degree. The  
134 applicant's chiropractic degree must consist of credits earned  
135 in the chiropractic program and may not include academic credit  
136 for courses from the bachelor's degree.

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138 The board may require an applicant who graduated from an  
139 institution accredited by the Council on Chiropractic Education  
140 more than 10 years before the date of application to the board  
141 to take the National Board of Chiropractic Examiners Special  
142 Purposes Examination for Chiropractic, or its equivalent, as  
143 determined by the board. The board shall establish by rule a  
144 passing score.

145 Section 3. Section 460.4085, Florida Statutes, is created  
146 to read:

147 460.4085 Performance of dry needling by chiropractic  
148 physicians.-

149 (1) The board shall establish minimum standards of  
150 practice for the performance of dry needling by chiropractic  
151 physicians, including, at a minimum, all of the following:

152 (a) Completion of 40 hours of in-person continuing  
153 education on the topic of dry needling for chiropractic  
154 physicians not certified in chiropractic acupuncture and 24  
155 hours of such in-person continuing education for chiropractic  
156 physicians certified in chiropractic acupuncture, and passage of  
157 a written and practical examination. Online or distance-based  
158 courses do not qualify as approved hours to meet the dry  
159 needling certification requirements.

160 1. Course content must be approved by one or more of the  
161 following entities before a chiropractic physician may take such

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162 course for purposes of meeting the continuing education  
163 requirements of this paragraph:

164 a. An entity accredited in accordance with s. 460.408.

165 b. The board.

166 c. The American Chiropractic Association.

167 d. The International Chiropractic Association.

168 e. Providers of Approved Continuing Education.

169 f. The American Medical Association.

170 g. The American Osteopathic Association.

171 2. The course instructor must be a licensed chiropractic  
172 physician, allopathic or osteopathic physician, or physical  
173 therapist holding a Doctor of Physical Therapy degree who has  
174 practiced dry needling for at least 5 years, either by  
175 instructing dry needling coursework at an accredited institution  
176 of higher education or treating patients using dry needling  
177 treatment in a professional office setting.

178 3. The continuing education must include instruction in  
179 all of the following areas:

180 a. Theory of dry needling.

181 b. Selection and safe handling of needles and other  
182 apparatus or equipment used in dry needling, including  
183 instruction on the proper handling of biohazardous waste.

184 c. Indications and contraindications for dry needling.

185 d. Psychomotor skills needed to perform dry needling.

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186 e. Postintervention care, including adverse responses,  
187 adverse event recordkeeping, and any reporting obligations.

188 (b) Completion of at least 10 patient sessions of dry  
189 needling performed under the supervision of a licensed  
190 chiropractic physician, allopathic or osteopathic physician, or  
191 physical therapist holding a Doctor of Physical Therapy degree  
192 who has actively performed dry needling for at least 1 year. A  
193 chiropractic physician must provide satisfactory documentation  
194 to the board demonstrating that he or she has met the  
195 supervision and competency requirements of this paragraph and  
196 does not need additional supervised sessions to perform dry  
197 needling.

198 (c) A requirement that dry needling may not be performed  
199 without patient consent and education on the risks and adverse  
200 events that could occur. Such patient consent and education must  
201 be included as part of the patient's documented plan of care.

202 (d) A requirement that dry needling may not be delegated  
203 to any person other than a chiropractic physician who is  
204 authorized to engage in dry needling under this chapter.

205 (2) At the request of a licensee, the board may do any of  
206 the following:

207 (a) Review coursework completed before July 1, 2024, to be  
208 approved to satisfy the coursework requirements of this section.

209 (b) Waive some or all of the hours or requirements of  
210 subsection (1) if the licensee presents satisfactory proof of

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211 completing coursework that constitutes adequate training of dry  
212 needling or of the components of education and training required  
213 for dry needling.

214 (c) Determine whether the licensee has received adequate  
215 training to be eligible to perform dry needling.

216 (3) When a chiropractic physician submits documentation to  
217 the board verifying completion of the required hours of  
218 education and training under this section, the board must issue  
219 the chiropractic physician a letter certifying that the he or  
220 she is authorized to practice dry needling under this chapter.

221 Section 4. This act shall take effect upon becoming a law.

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223 -----

224 **T I T L E A M E N D M E N T**

225 Remove everything before the enacting clause and insert:

226 A bill to be entitled

227 An act relating to chiropractic medicine; amending s. 460.403,  
228 F.S.; revising the definition of the term "practice of  
229 chiropractic medicine" to include a specified treatment;  
230 amending s. 460.406, F.S.; revising education requirements for  
231 licensure as a chiropractic physician; creating s. 460.4085,  
232 F.S.; requiring the Board of Chiropractic Medicine to establish  
233 minimum standards of practice for the performance of dry  
234 needling by chiropractic physicians, including specified  
235 education and training requirements and restrictions on such

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236 | practice; authorizing the board to take specified actions at the  
237 | request of a chiropractic physician; requiring the board to  
238 | issue a chiropractic physician a letter certifying that he or  
239 | she is authorized to perform dry needling if the chiropractic  
240 | physician submits certain documentation to the board; providing  
241 | an effective date.

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