

By Senator Gruters

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1 A bill to be entitled  
2 An act relating to chiropractic medicine; amending s.  
3 460.403, F.S.; revising the definition of the term  
4 "practice of chiropractic medicine" to include the  
5 ordering, storing, possessing, prescribing, and  
6 administering of articles of natural origin under  
7 certain circumstances by certain chiropractic  
8 physicians; authorizing pharmacists to fill the orders  
9 of such chiropractic physicians; amending s. 460.408,  
10 F.S.; deleting a requirement that all chiropractic  
11 continuing education be completed in a classroom  
12 setting; prohibiting the Board of Chiropractic  
13 Medicine from limiting the number of hours of  
14 continuing education a chiropractic physician may  
15 complete through distance learning; authorizing the  
16 board to make exceptions to continuing education  
17 requirements during a declared state of emergency in  
18 this state; specifying who may teach board-approved  
19 continuing education courses; requiring, rather than  
20 authorizing, the board to adopt rules; amending s.  
21 460.413, F.S.; revising grounds for disciplinary  
22 action to conform to changes made by the act; amending  
23 s. 460.4165, F.S.; revising certification requirements  
24 for certified chiropractic physician's assistants;  
25 amending s. 627.736, F.S.; revising limitations on  
26 medical benefits in insurance policies providing  
27 personal injury protection; providing construction;  
28 providing an effective date.  
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30 Be It Enacted by the Legislature of the State of Florida:

31  
32 Section 1. Subsection (9) of section 460.403, Florida  
33 Statutes, is amended to read:

34 460.403 Definitions.—As used in this chapter, the term:

35 (9) (a) "Practice of chiropractic medicine" means the  
36 application of a noncombative principle and practice ~~consisting~~  
37 of the science, philosophy, and art of the adjustment,  
38 manipulation, and treatment of the human body to treat any in  
39 ~~which~~ vertebral subluxation or subluxations and other  
40 malpositioned articulation or structure ~~articulations and~~  
41 ~~structures~~ that is ~~are~~ interfering with the normal generation,  
42 transmission, and expression of nerve impulse between the brain,  
43 organs, and tissue cells of the body and, ~~thereby~~ causing  
44 disease, as applied ~~are adjusted, manipulated, or treated, thus~~  
45 ~~restoring the normal flow of nerve impulse which produces normal~~  
46 ~~function and consequent health~~ by chiropractic physicians using  
47 specific chiropractic adjustment or manipulation techniques  
48 taught in chiropractic colleges accredited by the Council on  
49 Chiropractic Education to restore the normal flow of nerve  
50 impulse which produces normal function and consequent health. No  
51 person other than a licensed chiropractic physician may render  
52 chiropractic services, chiropractic adjustments, or chiropractic  
53 manipulations.

54 (b) Any chiropractic physician who has complied with ~~the~~  
55 ~~provisions of~~ this chapter may examine, analyze, and diagnose  
56 the human living body and its diseases by the use of any  
57 physical, chemical, electrical, or thermal method; use the X ray  
58 for diagnosing; phlebotomize; and use any other general method

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59 of examination for diagnosis and analysis taught in any school  
60 of chiropractic.

61 (c)1. Chiropractic physicians may adjust, manipulate, or  
62 treat the human body by manual, mechanical, electrical, or  
63 natural methods; by the use of physical means or physiotherapy,  
64 including light, heat, water, or exercise; by the use of  
65 acupuncture; by the use of monofilament intramuscular  
66 stimulation treatment, also known as dry needling, for trigger  
67 points or myofascial pain; or by the administration of foods,  
68 food concentrates, food extracts, and items for which a  
69 prescription is not required and may apply first aid and  
70 hygiene, but chiropractic physicians are expressly prohibited  
71 from prescribing or administering to any person any legend drug  
72 except as authorized under subparagraphs 2. and 3. ~~subparagraph~~  
73 ~~2.~~, from performing any surgery except as stated herein, or from  
74 practicing obstetrics.

75 2. Notwithstanding the prohibition against prescribing and  
76 administering legend drugs under subparagraph 1. or s.  
77 499.83(2)(c), pursuant to board rule, chiropractic physicians  
78 may order, store, and administer prescription medical oxygen,  
79 for emergency purposes only, at the chiropractic physician's  
80 office or place of business, ~~prescription medical oxygen~~ and may  
81 also order, store, and administer the following topical  
82 anesthetics in aerosol form:

83 a. Any solution consisting of 25 percent ethylchloride and  
84 75 percent dichlorodifluoromethane.

85 b. Any solution consisting of 15 percent  
86 dichlorodifluoromethane and 85 percent  
87 trichloromonofluoromethane.

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88           3. Notwithstanding the prohibition against prescribing and  
89 administering legend drugs under subparagraph 1. or s.  
90 499.83(2)(c), pursuant to board rule, chiropractic physicians  
91 who have completed a board-approved minimum of a 36-hour  
92 training course may order, store, possess, prescribe, and  
93 administer articles of natural origin, including vitamins,  
94 minerals, amino acids, fatty acids, hyaluronic acid, enzymes,  
95 saline, antioxidants, dextrose, glandulars, cellular components,  
96 extracts, water, botanicals, phytonutrients, and homeopathics,  
97 and may administer medical oxygen as defined in s. 499.82.  
98 Pharmacists licensed under chapter 465 may fill the orders of  
99 chiropractic physicians authorized to prescribe and administer  
100 articles of natural origin necessary for the practice of  
101 chiropractic medicine.

102  
103 ~~However, this paragraph does not authorize a chiropractic~~  
104 ~~physician to prescribe medical oxygen as defined in s.~~  
105 ~~499.82(10).~~

106           (d) Chiropractic physicians ~~shall~~ have the privileges of  
107 services from the department's laboratories.

108           (e) The term "chiropractic medicine," "chiropractic,"  
109 "doctor of chiropractic," or "chiropractor" is shall be  
110 synonymous with "chiropractic physician," and each term must  
111 ~~shall~~ be construed to mean a practitioner of chiropractic  
112 medicine as the same has been defined herein. Chiropractic  
113 physicians may analyze and diagnose the physical conditions of  
114 the human body to determine the abnormal functions of the human  
115 organism and to determine whether such functions ~~as~~ are  
116 abnormally expressed and the cause of such abnormal expression.

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117 (f) Any chiropractic physician who has complied with ~~the~~  
118 ~~provisions of~~ this chapter is authorized to analyze and diagnose  
119 abnormal bodily functions and to adjust the physical  
120 representative of the primary cause of disease as is herein  
121 defined and provided. As an incident to the care of the sick,  
122 chiropractic physicians may advise and instruct patients in all  
123 matters pertaining to hygiene and sanitary measures as taught  
124 and approved by recognized chiropractic schools and colleges. A  
125 chiropractic physician may not use acupuncture until certified  
126 by the board. Certification must ~~shall~~ be granted to  
127 chiropractic physicians who have satisfactorily completed the  
128 required coursework in acupuncture and successfully passed ~~after~~  
129 ~~successful passage of~~ an appropriate examination ~~as~~ administered  
130 by the department. The required coursework must ~~shall~~ have been  
131 provided by a college or university ~~which is~~ recognized by an  
132 accrediting agency approved by the United States Department of  
133 Education.

134 Section 2. Section 460.408, Florida Statutes, is amended to  
135 read:

136 460.408 Continuing chiropractic education.—

137 (1) The board shall require licensees to ~~periodically~~  
138 demonstrate their professional competence periodically as a  
139 condition of renewal of a license by completing up to 40 ~~contact~~  
140 ~~classroom~~ hours of continuing education.

141 (a) Continuing education courses sponsored by board-  
142 approved continuing education providers, or by chiropractic  
143 colleges whose graduates are eligible for examination under ~~any~~  
144 ~~provision of~~ this chapter, may be approved upon review by the  
145 board if all other requirements of board rules setting forth

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146 criteria for course approval are met.

147 (b) The board shall approve those courses that build upon  
148 the basic courses required for the practice of chiropractic  
149 medicine, and the board may also approve courses in adjunctive  
150 modalities. Courses that include ~~consist of~~ instruction in the  
151 use, application, prescription, recommendation, or  
152 administration of a specific company's brand of products or  
153 services are not eligible for approval.

154 (c) The board may not limit the number of approved  
155 continuing education hours that may be completed through  
156 distance learning.

157 (2) The board may provide exceptions to ~~make exception from~~  
158 the requirements of this section in emergency or hardship cases  
159 and during a declared state of emergency in this state.

160 (3) Continuing education courses must be taught by a person  
161 who has at least one of the following qualifications:

162 (a) Has a postgraduate degree, or a bachelor's degree with  
163 at least 2 years of experience in the subject matter being  
164 taught;

165 (b) Is a current faculty member of a chiropractic college  
166 or school maintaining standards approved by the board or is a  
167 current faculty member at a medical or osteopathic college or a  
168 university accredited by, or having status with, an accrediting  
169 agency, or its successor, recognized and approved by the United  
170 States Department of Education or by the Council for Higher  
171 Education Accreditation or its successor; or

172 (c) Is a postgraduate-level instructor at a chiropractic  
173 college or school maintaining standards approved by the board or  
174 is a postgraduate-level instructor at a medical or osteopathic

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175 college or a university accredited by, or having status with, an  
 176 accrediting agency, or its successor, recognized and approved by  
 177 the United States Department of Education or by the Council for  
 178 Higher Education Accreditation or its successor.

179 (4) The board shall ~~may~~ adopt rules necessary to implement  
 180 ~~within the requirements of this section that are necessary for~~  
 181 ~~its implementation.~~

182 Section 3. Paragraph (p) of subsection (1) of section  
 183 460.413, Florida Statutes, is amended to read:

184 460.413 Grounds for disciplinary action; action by board or  
 185 department.—

186 (1) The following acts constitute grounds for denial of a  
 187 license or disciplinary action, as specified in s. 456.072(2):

188 (p) Prescribing, dispensing, or administering any medicinal  
 189 drug except as authorized by s. 460.403(9)(c)2. or 3. ~~s.~~  
 190 ~~460.403(9)(c)2.~~, performing any surgery, or practicing  
 191 obstetrics.

192 Section 4. Paragraph (b) of subsection (13) of section  
 193 460.4165, Florida Statutes, is amended to read:

194 460.4165 Certified chiropractic physician's assistants.—

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

197 (b) Each certified chiropractic physician's assistant shall  
 198 biennially complete 24 hours of continuing education courses  
 199 ~~sponsored by chiropractic colleges accredited by the Council on~~  
 200 ~~Chiropractic Education~~ and approved by the board. The board  
 201 shall approve those courses that build upon the basic courses  
 202 required for the practice of chiropractic medicine, and the  
 203 board may also approve courses in adjunctive modalities. The

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204 board may make exception from the requirements of this section  
205 in emergency or hardship cases. The board may adopt rules  
206 necessary to implement ~~within the requirements of~~ this section  
207 ~~which are necessary for its implementation.~~

208 Section 5. Paragraph (a) of subsection (1) of section  
209 627.736, Florida Statutes, is amended to read:

210 627.736 Required personal injury protection benefits;  
211 exclusions; priority; claims.—

212 (1) REQUIRED BENEFITS.—An insurance policy complying with  
213 the security requirements of s. 627.733 must provide personal  
214 injury protection to the named insured, relatives residing in  
215 the same household unless excluded under s. 627.747, persons  
216 operating the insured motor vehicle, passengers in the motor  
217 vehicle, and other persons struck by the motor vehicle and  
218 suffering bodily injury while not an occupant of a self-  
219 propelled vehicle, subject to subsection (2) and paragraph  
220 (4) (e), to a limit of \$10,000 in medical and disability benefits  
221 and \$5,000 in death benefits resulting from bodily injury,  
222 sickness, disease, or death arising out of the ownership,  
223 maintenance, or use of a motor vehicle as follows:

224 (a) *Medical benefits.*—Eighty percent of all reasonable  
225 expenses for medically necessary medical, surgical, X-ray,  
226 dental, and rehabilitative services, including prosthetic  
227 devices and medically necessary ambulance, hospital, and nursing  
228 services if the individual receives initial services and care  
229 pursuant to subparagraph 1. within 14 days after the motor  
230 vehicle accident. The medical benefits provide reimbursement  
231 only for:

232 1. Initial services and care that are lawfully provided,

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233 supervised, ordered, or prescribed by a physician licensed under  
234 chapter 458 or chapter 459, a dentist licensed under chapter  
235 466, a chiropractic physician licensed under chapter 460, or an  
236 advanced practice registered nurse registered under s. 464.0123  
237 or that are provided in a hospital or in a facility that owns,  
238 or is wholly owned by, a hospital. Initial services and care may  
239 also be provided by a person or entity licensed under part III  
240 of chapter 401 which provides emergency transportation and  
241 treatment.

242 2. Upon referral by a provider described in subparagraph  
243 1., follow-up ~~followup~~ services and care consistent with the  
244 underlying medical diagnosis rendered pursuant to subparagraph  
245 1. which may be provided, supervised, ordered, or prescribed  
246 only by a physician licensed under chapter 458 or chapter 459, a  
247 chiropractic physician licensed under chapter 460, a dentist  
248 licensed under chapter 466, or an advanced practice registered  
249 nurse registered under s. 464.0123, or, to the extent permitted  
250 by applicable law and under the supervision of such physician,  
251 osteopathic physician, chiropractic physician, or dentist, by a  
252 physician assistant licensed under chapter 458 or chapter 459 or  
253 an advanced practice registered nurse licensed under chapter  
254 464. Follow-up ~~Followup~~ services and care may also be provided  
255 by the following persons or entities:

256 a. A hospital or ambulatory surgical center licensed under  
257 chapter 395.

258 b. An entity wholly owned by one or more physicians  
259 licensed under chapter 458 or chapter 459, chiropractic  
260 physicians licensed under chapter 460, advanced practice  
261 registered nurses registered under s. 464.0123, or dentists

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262 licensed under chapter 466 or by such practitioners and the  
263 spouse, parent, child, or sibling of such practitioners.

264 c. An entity that owns or is wholly owned, directly or  
265 indirectly, by a hospital or hospitals.

266 d. A physical therapist licensed under chapter 486, based  
267 upon a referral by a provider described in this subparagraph.

268 e. A health care clinic licensed under part X of chapter  
269 400 which is accredited by an accrediting organization whose  
270 standards incorporate comparable regulations required by this  
271 state, or

272 (I) Has a medical director licensed under chapter 458,  
273 chapter 459, or chapter 460;

274 (II) Has been continuously licensed for more than 3 years  
275 or is a publicly traded corporation that issues securities  
276 traded on an exchange registered with the United States  
277 Securities and Exchange Commission as a national securities  
278 exchange; and

279 (III) Provides at least four of the following medical  
280 specialties:

281 (A) General medicine.

282 (B) Radiography.

283 (C) Orthopedic medicine.

284 (D) Physical medicine.

285 (E) Physical therapy.

286 (F) Physical rehabilitation.

287 (G) Prescribing or dispensing outpatient prescription  
288 medication.

289 (H) Laboratory services.

290 3. Reimbursement for services and care provided in

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291 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician  
292 licensed under chapter 458 or chapter 459, a dentist licensed  
293 under chapter 466, a physician assistant licensed under chapter  
294 458 or chapter 459, or an advanced practice registered nurse  
295 licensed under chapter 464 has determined that the injured  
296 person had an emergency medical condition.

297 4. Reimbursement for services and care provided in  
298 subparagraph 1. or subparagraph 2. is limited to \$2,500 if a  
299 provider listed in subparagraph 1. or subparagraph 2. determines  
300 that the injured person did not have an emergency medical  
301 condition.

302 5. Medical benefits do not include massage therapy as  
303 defined in s. 480.033 or acupuncture as defined in s. 457.102,  
304 regardless of the person, entity, or licensee providing massage  
305 therapy or acupuncture, and a licensed massage therapist or  
306 licensed acupuncturist may not be reimbursed for medical  
307 benefits in such licensed capacities under this section. A  
308 person licensed as a massage therapist under chapter 480 or as  
309 an acupuncturist under chapter 457 may be reimbursed for medical  
310 benefits under this section only if he or she holds  
311 qualifications or licensure, other than as a massage therapist  
312 or an acupuncturist, which independently authorizes his or her  
313 services or care to be eligible for reimbursement as specified  
314 in subparagraph 1. or subparagraph 2.

315 6. The Financial Services Commission shall adopt by rule  
316 the form that must be used by an insurer and a health care  
317 provider specified in sub-subparagraph 2.b., sub-subparagraph  
318 2.c., or sub-subparagraph 2.e. to document that the health care  
319 provider meets the criteria of this paragraph. Such rule must

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320 include a requirement for a sworn statement or affidavit.

321

322 Only insurers writing motor vehicle liability insurance in this  
323 state may provide the required benefits of this section, and  
324 such insurer may not require the purchase of any other motor  
325 vehicle coverage other than the purchase of property damage  
326 liability coverage as required by s. 627.7275 as a condition for  
327 providing such benefits. Insurers may not require that property  
328 damage liability insurance in an amount greater than \$10,000 be  
329 purchased in conjunction with personal injury protection. Such  
330 insurers shall make benefits and required property damage  
331 liability insurance coverage available through normal marketing  
332 channels. An insurer writing motor vehicle liability insurance  
333 in this state who fails to comply with such availability  
334 requirement as a general business practice violates part IX of  
335 chapter 626, and such violation constitutes an unfair method of  
336 competition or an unfair or deceptive act or practice involving  
337 the business of insurance. An insurer committing such violation  
338 is subject to the penalties provided under that part, as well as  
339 those provided elsewhere in the insurance code.

340 Section 6. This act shall take effect July 1, 2025.