

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: SB 192

INTRODUCER: Senators Martin and Trumbull

SUBJECT: Patient Funds Held in Trust by Chiropractic Physicians

DATE: January 26, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Smith	Brown	HP	Favorable
2.	Davis	Cibula	JU	Favorable
3.			RC	

I. Summary:

SB 192 deletes the \$1,500 cap on advances a chiropractic physician may collect for examination or treatment. The bill provides an effective date of July 1, 2026.

II. Present Situation:

Regulation of Chiropractic Physicians

The Department of Health (DOH) reports that, as of July 1, 2025, Florida had 8,994 licensed chiropractic practitioners.¹ Chiropractic physicians are licensed health care practitioners regulated by the DOH through the Board of Chiropractic Medicine (Board), which is created within the DOH.²

Under the chiropractic practice act (chapter 460, F.S.), the practice of chiropractic medicine consists of the adjustment, manipulation, and treatment of vertebral subluxations and other malpositioned articulations and structures that interfere with the normal generation, transmission, and expression of nerve impulse, thereby restoring the normal flow of nerve impulse which produces normal function and consequent health.³

Licensed chiropractic physicians are subject to discipline under ch. 456, F.S., and the chiropractic-specific grounds in ch. 460, F.S., and the DOH and the Board may take action for rule violations, fraud, and other enumerated misconduct. The Board's implementing rules are codified in Rule Chapter 64B2, F.A.C., addressing matters such as licensure and renewal, continuing education, advertising, and disciplinary guidelines.

¹ Department of Health, *Senate Bill 192 Legislative Analysis* (Oct. 17, 2025) (on file with the Senate Committee on Judiciary).

² Section 460.404, F.S.

³ Section 460.403(9), F.S.

Patient Funds Held in Trust

Section 460.413(1)(y), F.S., makes it a disciplinary violation for a chiropractic physician to fail to preserve the identity of patient funds or property valued at more than \$501. The statute provides that, as specified by Board rule, money or property entrusted to a chiropractic physician for a specific purpose, including advances for costs and expenses of examination or treatment, is to be held in trust and applied only for that purpose. In 2012, the Legislature imposed a statutory cap on advances which remains in effect today.⁴ Such advances may not exceed the value of \$1,500.⁵

Accordingly, because the \$1,500 limitation is stated within paragraph (y)'s description of the trust obligation, collecting an advance for examination or treatment exceeding \$1,500 constitutes grounds for discipline. Since 2012, the DOH has received 12 complaints alleging violations of s. 460.413(1)(y), F.S., nine of which involved collecting amounts greater than \$1,500.⁶

Rule 64B2-14.001, F.A.C., applies to trust funds received or disbursed by chiropractors and defines "trust funds" as unearned fees received before services are rendered or goods sold. The rule specifies minimum trust accounting records (e.g., separate trust account, journals, receipts, ledgers, cancelled checks) and procedures, including:

- Reconciliation at least quarterly with retention for 6 years; and
- Annual filing (between June 1 and August 15) of a certificate of substantial compliance with s. 460.413(1)(y), F.S., and the rule.

Patient Overpayment Refund Requirement

Effective January 1, 2026, s. 456.0625, F.S., requires health care practitioners (including chiropractic physicians) who accept payment from insurance for services rendered to refund any overpayment made by the patient no later than 30 days after determining that the patient made an overpayment.⁷ A violation of this requirement to refund an overpayment constitutes grounds for discipline under s. 456.072, F.S. The DOH notes that this requirement will include monies held in trust and reports that the Board proposed disciplinary rule amendments in August 2025 to address such violations (citations and penalty ranges).⁸

III. Effect of Proposed Changes:

Section 1 of the bill deletes the phrase limiting patient advances for examination or treatment to amounts that "may not exceed the value of \$1,500." This change repeals the maximum monetary amount chiropractic physicians may collect in advance and hold in trust for examination or treatment, effectively allowing any amount to be collected in advance. If enacted, chiropractic physicians will no longer be subject to Board discipline for collecting advanced payments in

⁴ Ch. 2012-171, s.4, Laws of Fla.

⁵ Based on U.S. Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) data, \$1,500 in 2012 is approximately equivalent to \$2,120 in December 2025 dollars.

Calculation: $\$1,500 \times (\text{CPI-U Dec. 2025} / \text{CPI-U 2012 annual average}) = \$1,500 \times (324.054 / 229.594) \approx \$2,117$. Source: U.S. Bureau of Labor Statistics, CPI-U Index.

⁶ See supra note 1.

⁷ Ch. 2025-48, s.3, Laws of Fla.

⁸ See supra note 1.

excess of \$1,500 for costs and expenses of examination and treatment. The DOH states it would review any pending complaints involving collection of more than \$1,500, and such complaints “would likely be closed” if the only alleged violation is collecting above the cap.⁹

The bill retains the current law relating to patient trusts accounts. If a chiropractic physician is entrusted with patient funds and property exceeding \$501 in value, those monies remain subject to trust status, must be applied only to the specified patient and purpose, and remain subject to existing accounting requirements in rule.

Along with other health care practitioners, chiropractic physicians who accept payment from insurance for services rendered remain subject to the new requirement in s. 456.0625, F.S., to refund patient overpayments within 30 days after determining an overpayment occurred, with disciplinary consequences for noncompliance. The DOH indicates this includes monies held in trust and reports proposed Board disciplinary guidance for violations.¹⁰

Section 2 of the bill provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁹ See supra note 1.

¹⁰ *Id.*

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 460.413 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.