

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [HB 259](#)

TITLE: Patient Funds Held in Trust by Chiropractic Physicians

SPONSOR(S): Yarkosky

COMPANION BILL: [SB 192](#) (Martin)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Health Professions & Programs](#)

18 Y, 0 N

[Health & Human Services](#)



SUMMARY

Effect of the Bill:

HB 259 authorizes a chiropractic physician to hold in trust all advanced payments and property entrusted by a patient to the chiropractic physician, without limitation, by eliminating the current statutory cap of \$1,500 for all such funds.

Fiscal or Economic Impact:

None

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ANALYSIS

EFFECT OF THE BILL:

Chiropractic Medicine

The Regulation of Chiropractic Physicians

HB 259 authorizes a [chiropractic physician](#) to hold in trust all advanced payments and property entrusted by a patient to the chiropractic physician, without limitation, by eliminating the current statutory cap of \$1,500 for all such [funds held in trust](#) (Section 1). The Department of Health (DOH) would review and close any pending disciplinary [complaints](#) that involve a violation of the \$1,500 statutory cap.¹

The bill provides an effective date of July 1, 2026. (Section 2).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Chiropractic Medicine

Practice of Chiropractic Medicine

Under current law [s. 460.403, F.S.](#), the practice of chiropractic medicine is a noncombative principle and practice consisting of the science, philosophy, and art of the adjustment, manipulation, and treatment of the human body. Specifically, chiropractic medicine targets vertebral subluxations and other malpositioned articulations and structures that interfere with the normal generation, transmission, and expression of nerve impulse between the

¹ Department of Health, Agency Bill Analysis for HB 259 (2026), pp. 3 (Nov. 21, 2025) <http://abar.laspbs.state.fl.us/ABAR/Attachment.aspx?id=37039> (last visited Jan. 23, 2026).

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brain, organs, and tissue cells of the body. Left untreated, these abnormalities may cause disease. To mitigate the occurrence of disease, chiropractor physicians adjust, manipulate, and treat the human body to restore the normal flow of nerve impulse which produces normal function and consequent health. The practice of chiropractic medicine further contemplates that chiropractic physicians use specific chiropractic adjustment or manipulation techniques taught in chiropractic colleges accredited by the Council on Chiropractic Education (CCE).²

No person other than a licensed chiropractic physician may render chiropractic services, chiropractic adjustments, or chiropractic manipulations.³

Chiropractic physicians may adjust, manipulate, or treat the human body by:

- Manual, mechanical, electrical, or natural methods;
- The use of physical means or physiotherapy, including light, heat, water, or exercise;
- The use of acupuncture;
- The use of dry needling for trigger points or myofascial pain; or
- The administration of foods, food concentrates, food extracts, and items for which a prescription is not required.

In addition, chiropractic physicians may apply first aid and hygiene. However, chiropractic physicians are expressly prohibited from prescribing or administering to any person any legend drug except, in emergencies, prescription medical oxygen or topical anesthetics in aerosol form. Chiropractic physicians cannot perform any surgery or practice obstetrics.⁴

The Regulation of Chiropractic Physicians

Chiropractic physicians are regulated by the Board of Chiropractic Medicine (Board) within the Department of Health (DOH) under ch. 460, F.S., which establishes minimum requirements for the safe practice of chiropractic medicine. At the end of Fiscal Year 2024-2025, there were 6,905 in-state and 808 out-of-state Florida-licensed chiropractic physicians.⁵

Licensed chiropractic physicians are subject to discipline under ch. 456, F.S., and the chiropractic-specific grounds in ch. 460, F.S. 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.

Patient Funds Held in Trust

Current law makes it a disciplinary violation for a chiropractic physician who fails to keep the value of all money or property held in a patient's trust account at or below \$1,500.⁶ Current Board rule treats "trust funds" as unearned fees in the form of cash or property other than cash, which are received by a chiropractor prior to the chiropractor rendering his or her services or selling goods and appliances.⁷

² The Council on Chiropractic Education is recognized by the United States Department of Education and the Council for Higher Education Accreditation as the accrediting body for chiropractic programs. United States Department of Education, *Accreditation in the United States*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html (last visited Jan. 25, 2026); Council for Higher Education Accreditation, *Council on Chiropractic Education*, <https://www.chea.org/council-chiropractic-education> (last visited Jan. 25, 2026).

³ [S. 460.403\(9\)\(a\), F.S.](#)

⁴ [S. 460.403\(9\)\(c\), F.S.](#)

⁵ Division of Medical Quality Assurance, "Annual Report and Long-Range Plan: Fiscal Year 2024-25," *Department of Health*, pp. 24 <https://www.floridahealth.gov/wp-content/uploads/2026/01/2025.10.31.FY24-25MQAAR-FINAL1.pdf> (last visited Jan. 25, 2026).

⁶ In 2012, the Legislature imposed a mandatory cap on patient advances held in trust of \$1,500. Chapter 2012-171, Sec. 4, L.O.F. The value of \$1,500 in July 2012 dollars (effective date of 2012 law) amounts to approximately \$2,121.66 in December 2025 dollars, which represents a 41.4% increase for inflation. U.S. Bureau of Labor Statistics, "Consumer Price Index Inflation Calculator," *U.S. Department of Labor* https://www.bls.gov/data/inflation_calculator.htm (last visited Jan. 23, 2026).

⁷ Rule 64B2-14.001, F.A.C.

The Board has established guidelines by rule for the disposition of disciplinary cases involving violations of the trust fund statutory cap.⁸

Penalties for Violating the Trust Fund Statutory Cap ⁹		
First Offense	Second Offense	Third or Subsequent Offenses
3 hours of certain continuing education (CE) courses. + Range of \$2,000 to \$4,000 fine + Range of probation to 1 years' suspension; the suspension could be followed by a probationary period and records monitoring and certain CE courses.	5 hours of certain CE courses + Range of \$5,000-\$7,500 fine + Range of 1-5-years' suspension + Range of 1-5-years' probation with records monitoring and, or reinstatement by exam passage.	Range of \$7,500 to \$10,000 fine + Range of 1 years' suspension and 2 years' probation with records monitoring to permanent revocation.

Since 2012, DOH has received 9 [complaints](#) alleging the chiropractic physician collected amounts greater than \$1,500, and the Board found probable cause that a violation occurred in 8 of these cases. The Board reached settlement agreements in 4 cases and resolved 1 case on the merits; 3 cases remain pending in various stages of litigation.¹⁰

OTHER RESOURCES:

[Florida Board of Chiropractic Medicine](#)

BILL HISTORY

STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY	DATE	ACTION	COMMITTEE REFERENCE
McElroy	DesRochers	1/29/2026	18 Y, 0 N	Health Professions & Programs Subcommittee
				Health & Human Services Committee

⁸ Rule 64B2-16.003(2)(gg), F.A.C. See [s. 460.413\(4\), F.S.](#)

⁹ Although the brief descriptor of the penalty for a violation under s. 460.413(1)(y), F.S. in current Board rule relates to the commingling or conversion of patient funds and financial recordkeeping, current Board rules says that the identification of offenses in current Board rule are descriptive only; current Board rule states that the full language of each statutory provision cited must be considered in order to determine the conduct included. Rule 64B2-16.003(2), F.A.C.

¹⁰ *Supra*, FN 1 at 2. The case decided on the merits resulted in a Board-issued reprimand to the chiropractic physician, a one years' probation with quarterly record monitoring, mandatory reimbursement to the patient, and payment of DOH costs. The settlement agreements resulted in fines ranging between \$6,500-\$10,000, reimbursement of patient monies held in trust, mandatory CE hours, and payment of DOH costs.