

# 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](#)

24 Y, 0 N

## 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) currently has three disciplinary [complaints](#) that involve a violation of the \$1,500 statutory cap; DOH intends to review and close those cases upon the effective date of the bill.<sup>1</sup>

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

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Chiropractic Medicine

#### Practice

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

<sup>1</sup> 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, [chiropractic 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).<sup>2</sup>

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

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.<sup>4</sup>

**Licensure**

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.<sup>5</sup>

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](#)

Some chiropractic physicians provide patients with the choice to bundle multiple treatment sessions into one prepay treatment package, which physicians usually offer at a discount when compared with pay-as-you-go treatment prices. Under a prepay treatment package, patients make advanced payments for future treatment.<sup>6</sup>

<sup>2</sup> 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](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.chcea.org/council-chiropractic-education> (last visited Jan. 25, 2026).

<sup>3</sup> [S. 460.403\(9\)\(a\), F.S.](#)

<sup>4</sup> [S. 460.403\(9\)\(c\), F.S.](#)

<sup>5</sup> 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).

<sup>6</sup> See Centers for Medicare & Medicaid Services, “Bundled Payments,” *U.S. Department of Health & Human Services*, (Jan. 7, 2025) <https://www.cms.gov/priorities/innovation/key-concepts/bundled-payments> (last visited Feb. 16, 2026); Miles Bodzin, “Leverage care plans for consistent profit,” *Chiropractic Economics*, (Feb. 6, 2026) <https://www.chiroeco.com/leverage-care-plans-for-consistent-profit/> (last visited Feb. 15, 2026).

Under current Board rule, these advanced payments are “trust funds,” and the Board regulates chiropractic physician accounting practices concerning the receipt and disbursement of patient trust funds.<sup>8</sup>

To appropriately manage patient trust funds under current law, chiropractic physicians must deposit trust funds into an individual trust account designated for the patient only, and may only make withdrawals as services are rendered and only in the amount that such services cost. 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.<sup>9</sup>

The Board has established guidelines by rule for the disposition of disciplinary cases involving violations of the trust fund statutory cap.<sup>10</sup>

Penalties for Violating the Trust Fund Statutory Cap <sup>11</sup>		
First Offense	Second Offense	Subsequent Offenses
3 hours of continuing education (CE). + \$2,000 to \$4,000 fine + Probation or up to 1-year suspension; the suspension could be followed by a probationary period and records monitoring and CE.	5 hours of CE. + \$5,000-\$7,500 fine + 1–5-years suspension + 1–5-years of probation with records monitoring and/or reinstatement by exam passage.	\$7,500 to \$10,000 fine + 1-year suspension and 2 years of probation with records monitoring or permanent revocation.

Since 2012, DOH received nine [complaints](#) alleging the chiropractic physician collected amounts greater than \$1,500. The Board found probable cause that a violation occurred in eight of these, reached settlement agreements in four, and resolved one case on the merits; three cases remain pending in various stages of litigation.<sup>12</sup>

**OTHER RESOURCES:**

[Florida Board of Chiropractic Medicine](#)

<sup>7</sup> By “trust funds,” the Board means 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. Rule 64B2-14.001(1), F.A.C.

<sup>8</sup> Rule 64B2-14.001(1), F.A.C.

<sup>9</sup> S. 460.413(1)(y), F.S. 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](https://www.bls.gov/data/inflation_calculator.htm) (last visited Jan. 23, 2026).

<sup>10</sup> Rule 64B2-16.003(2)(gg), F.A.C., *See* [s. 460.413\(4\), F.S.](#)

<sup>11</sup> 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.

<sup>12</sup> *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.

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Health Professions &amp; Programs Subcommittee</a>	18 Y, 0 N	1/29/2026	McElroy	DesRochers
<a href="#">Health &amp; Human Services Committee</a>	24 Y, 0 N	2/18/2026	Calamas	DesRochers