

1 A bill to be entitled
 2 An act relating to chiropractors; amending s. 460.402,
 3 F.S.; revising an exemption from regulation under ch.
 4 460, F.S., for certain chiropractic students; amending
 5 s. 460.406, F.S.; revising application requirements
 6 for licensure by examination; amending s. 460.4062,
 7 F.S.; revising requirements for the issuance of a
 8 chiropractic medicine faculty certificate without
 9 examination; conforming a provision to changes made by
 10 the act; amending ss. 460.403, 460.4061, 460.4165,
 11 460.4167, and 400.9905, F.S.; conforming provisions to
 12 changes made by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (6) of section 460.402, Florida
 17 Statutes, is amended to read:

18 460.402 Exceptions.—The provisions of this chapter shall
 19 not apply to:

20 (6) A chiropractic student enrolled in a chiropractic
 21 school, college, or program accredited by an accrediting agency
 22 recognized by the United States Department of Education or the
 23 Council for Higher ~~on Chiropractic~~ Education Accreditation and
 24 participating in ~~either~~:

25 (a) A community-based internship under the direct

26 supervision of a doctor of chiropractic medicine who is
 27 credentialed as an adjunct faculty member of a chiropractic
 28 college in which the student is enrolled; or

29 (b) A chiropractic college clinical internship under the
 30 direct supervision of a doctor of chiropractic medicine who is a
 31 full-time, part-time, or adjunct faculty member of a
 32 chiropractic college ~~located in this state and~~ accredited by an
 33 accrediting agency recognized by the United States Department of
 34 Education or the Council for Higher ~~on Chiropractic~~ Education
 35 Accreditation and who holds a current, active Florida
 36 chiropractor's license.

37 Section 2. Paragraphs (c) and (d) of subsection (1) and
 38 subsection (5) of section 460.406, Florida Statutes, are amended
 39 to read:

40 460.406 Licensure by examination.—

41 (1) Any person desiring to be licensed as a chiropractic
 42 physician must apply to the department to take the licensure
 43 examination. There shall be an application fee set by the board
 44 not to exceed \$100 which shall be nonrefundable. There shall
 45 also be an examination fee not to exceed \$500 plus the actual
 46 per applicant cost to the department for purchase of portions of
 47 the examination from the National Board of Chiropractic
 48 Examiners or a similar national organization, which may be
 49 refundable if the applicant is found ineligible to take the
 50 examination. The department shall examine each applicant who the

51 board certifies has:

52 (c) Submitted proof satisfactory to the department that he
53 or she is a graduate of a chiropractic college ~~which is~~
54 accredited by an accrediting agency recognized by the United
55 States Department of Education or ~~has status with~~ the Council
56 for Higher ~~on Chiropractic~~ Education Accreditation ~~or its~~
57 ~~predecessor agency~~. However, any applicant who is a graduate of
58 a chiropractic college that was initially accredited by the
59 Council on Chiropractic Education in 1995, who graduated from
60 such college within the 4 years immediately preceding such
61 accreditation, and who is otherwise qualified shall be eligible
62 to take the examination. No application for a license to
63 practice chiropractic medicine shall be denied solely because
64 the applicant is a graduate of a chiropractic college that
65 subscribes to one philosophy of chiropractic medicine as
66 distinguished from another.

67 (d)1. For an applicant who has matriculated in a
68 chiropractic college before ~~prior to~~ July 2, 1990, completed at
69 least 2 years of residence college work, consisting of a minimum
70 of one-half the work acceptable for a bachelor's degree granted
71 on the basis of a 4-year period of study, in a college or
72 university accredited by an accrediting agency recognized and
73 approved by the United States Department of Education. However,
74 before ~~prior to~~ being certified by the board to sit for the
75 examination, each applicant who has matriculated in a

76 | chiropractic college after July 1, 1990, shall have been granted
77 | a bachelor's degree, based upon 4 academic years of study, by a
78 | college or university accredited by a regional accrediting
79 | agency which is a member of the Commission on Recognition of
80 | Postsecondary Accreditation.

81 | 2. Effective July 1, 2000, completed, before ~~prior to~~
82 | matriculation in a chiropractic college, at least 3 years of
83 | residence college work, consisting of a minimum of 90 semester
84 | hours leading to a bachelor's degree in a liberal arts college
85 | or university accredited by an accrediting agency recognized and
86 | approved by the United States Department of Education. However,
87 | before ~~prior to~~ being certified by the board to sit for the
88 | examination, each applicant who has matriculated in a
89 | chiropractic college after July 1, 2000, shall have been granted
90 | a bachelor's degree from an institution holding accreditation
91 | for that degree from a regional accrediting agency which is
92 | recognized by the United States Department of Education. The
93 | applicant's chiropractic degree must consist of credits earned
94 | in the chiropractic program and may not include academic credit
95 | for courses from the bachelor's degree.

96 |
97 | The board may require an applicant who graduated from an
98 | institution accredited by the Council on Chiropractic Education
99 | more than 10 years before the date of application to the board
100 | to take the National Board of Chiropractic Examiners Special

101 Purposes Examination for Chiropractic, or its equivalent, as
 102 determined by the board. The board shall establish by rule a
 103 passing score.

104 (5) A student in a school or college of chiropractic
 105 accredited by an accrediting agency recognized by the United
 106 States Department of Education or the Council for Higher ~~on~~
 107 ~~Chiropractic Education Accreditation~~ or its successor in the
 108 final year of the program may file an application pursuant to
 109 subsection (1), take all examinations required for licensure,
 110 and submit a set of fingerprints, ~~and pay all fees required for~~
 111 ~~licensure~~. A chiropractic student who successfully completes the
 112 licensure examinations and who otherwise meets all requirements
 113 for licensure as a chiropractic physician during the student's
 114 final year must have graduated before being certified for
 115 licensure pursuant to this section.

116 Section 3. Subsection (1) of section 460.4062, Florida
 117 Statutes, is amended to read:

118 460.4062 Chiropractic medicine faculty certificate.—

119 (1) The department may issue a chiropractic medicine
 120 faculty certificate without examination to an individual who
 121 remits a nonrefundable application fee, not to exceed \$100 as
 122 determined by rule of the board, and who demonstrates to the
 123 board that he or she meets the following requirements:

124 (a) Is a graduate of a ~~an accredited~~ school or college of
 125 chiropractic accredited by an accrediting agency recognized by

126 | the United States Department of Education or the Council for
 127 | Higher ~~on~~ Chiropractic Education Accreditation.

128 | (b) Holds a valid current license to practice chiropractic
 129 | medicine in another jurisdiction in the United States.

130 | (c) Is at least 21 years of age and of good moral
 131 | character.

132 | (d) Has not committed any act or offense in any
 133 | jurisdiction which would constitute the basis for discipline
 134 | under this chapter or chapter 456.

135 | (e)1. Performs research or has been offered and has
 136 | accepted a full-time or part-time faculty appointment to teach
 137 | in a program of chiropractic medicine at a publicly funded state
 138 | university or college or at a college of chiropractic located in
 139 | the state and accredited by an accrediting agency recognized by
 140 | the United States Department of Education or the Council for
 141 | Higher ~~on~~ Chiropractic Education Accreditation; and

142 | 2. Provides a certification from the dean of the
 143 | appointing college acknowledging the appointment.

144 | Section 4. Subsection (4) and paragraph (a) of subsection
 145 | (9) of section 460.403, Florida Statutes, are amended to read:

146 | 460.403 Definitions.—As used in this chapter, the term:

147 | (4) (a) "Community-based internship" means a program in
 148 | which a student enrolled in the last year of a chiropractic
 149 | college accredited by an accrediting agency recognized by the
 150 | United States Department of Education or the Council for Higher

151 ~~on Chiropractic Education Accreditation~~ is approved to obtain
152 required pregraduation clinical experience in a chiropractic
153 clinic or practice under the direct supervision of a doctor of
154 chiropractic medicine approved as an adjunct faculty member of
155 the chiropractic college in which the student is enrolled,
156 according to the teaching protocols for the clinical practice
157 requirements of the college.

158 (b) "Chiropractic college clinical internship" means a
159 program in which a student enrolled in a chiropractic college
160 ~~located in this state and~~ accredited by an accrediting agency
161 recognized by the United States Department of Education or the
162 Council for Higher ~~on Chiropractic Education Accreditation~~
163 obtains clinical experience pursuant to the chiropractic
164 college's curriculum in a classroom or chiropractic clinic
165 operated by the chiropractic college, according to the teaching
166 protocols for the clinical practice requirements of the college.

167 (9) (a) "Practice of chiropractic medicine" means a
168 noncombative principle and practice consisting of the science,
169 philosophy, and art of the adjustment, manipulation, and
170 treatment of the human body in which vertebral subluxations and
171 other malpositioned articulations and structures that are
172 interfering with the normal generation, transmission, and
173 expression of nerve impulse between the brain, organs, and
174 tissue cells of the body, thereby causing disease, are adjusted,
175 manipulated, or treated, thus restoring the normal flow of nerve

176 | impulse which produces normal function and consequent health by
 177 | chiropractic physicians using specific chiropractic adjustment
 178 | or manipulation techniques taught in chiropractic colleges
 179 | accredited by an accrediting agency recognized by the United
 180 | States Department of Education or the Council for Higher ~~on~~
 181 | ~~Chiropractic~~ Education Accreditation. No person other than a
 182 | licensed chiropractic physician may render chiropractic
 183 | services, chiropractic adjustments, or chiropractic
 184 | manipulations.

185 | Section 5. Paragraph (a) of subsection (1) of section
 186 | 460.4061, Florida Statutes, is amended to read:

187 | 460.4061 Restricted license.—

188 | (1) An applicant for licensure as a chiropractic physician
 189 | may apply to the department for a restricted license without
 190 | undergoing a state or national written or clinical competency
 191 | examination for licensure if the applicant initially applies not
 192 | later than October 31, 1994, for the restricted license and:

193 | (a) Holds a degree from a college of chiropractic
 194 | accredited by an accrediting agency recognized by the United
 195 | States Department of Education or the Council for Higher ~~on~~
 196 | ~~Chiropractic~~ Education Accreditation ~~or its predecessor agency~~
 197 | and holds a bachelor's degree.

198 | Section 6. Paragraph (b) of subsection (13) of section
 199 | 460.4165, Florida Statutes, is amended to read:

200 | 460.4165 Certified chiropractic physician's assistants.—

201 (13) CERTIFIED CHIROPRACTIC ASSISTANT CERTIFICATION

202 RENEWAL.—The certification must be renewed biennially.

203 (b) Each certified chiropractic physician's assistant
 204 shall biennially complete 24 hours of continuing education
 205 courses approved by the board and sponsored by an accrediting
 206 agency recognized by the United States Department of Education
 207 or the Council for Higher Education Accreditation ~~chiropractic~~
 208 ~~colleges accredited by the Council on Chiropractic Education and~~
 209 ~~approved by the board.~~ The board shall approve those courses
 210 that build upon the basic courses required for the practice of
 211 chiropractic medicine, and the board may also approve courses in
 212 adjunctive modalities. The board may make exception from the
 213 requirements of this section in emergency or hardship cases. The
 214 board may adopt rules within the requirements of this section
 215 which are necessary for its implementation.

216 Section 7. Paragraph (d) of subsection (1) of section
 217 460.4167, Florida Statutes, is amended to read:

218 460.4167 Proprietorship by persons other than licensed
 219 chiropractic physicians.—

220 (1) A person may not employ a chiropractic physician
 221 licensed under this chapter or engage a chiropractic physician
 222 licensed under this chapter as an independent contractor to
 223 provide services that chiropractic physicians are authorized to
 224 offer under this chapter, unless the person is any of the
 225 following:

226 (d) A clinical facility that is affiliated with a college
 227 of chiropractic accredited by an accrediting agency recognized
 228 by the United States Department of Education or the Council for
 229 Higher ~~on Chiropractic~~ Education Accreditation at which training
 230 is provided for chiropractic students.

231 Section 8. Paragraph (j) of subsection (4) of section
 232 400.9905, Florida Statutes, is amended to read:

233 400.9905 Definitions.—

234 (4) "Clinic" means an entity where health care services
 235 are provided to individuals and which tenders charges for
 236 reimbursement for such services, including a mobile clinic and a
 237 portable equipment provider. As used in this part, the term does
 238 not include and the licensure requirements of this part do not
 239 apply to:

240 (j) Clinical facilities affiliated with a college of
 241 chiropractic accredited by an accrediting agency recognized by
 242 the United States Department of Education or the Council for
 243 Higher ~~on Chiropractic~~ Education Accreditation at which training
 244 is provided for chiropractic students.

245
 246 Notwithstanding this subsection, an entity shall be deemed a
 247 clinic and must be licensed under this part in order to receive
 248 reimbursement under the Florida Motor Vehicle No-Fault Law, ss.
 249 627.730-627.7405, unless exempted under s. 627.736(5)(h).

250 Section 9. This act shall take effect upon becoming a law.