

**CS FOR SENATE BILL NO. 69(L&C)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-NINTH LEGISLATURE - SECOND SESSION**

**BY THE SENATE LABOR AND COMMERCE COMMITTEE**

**Offered:**

**Referred:**

**Sponsor(s): SENATOR STOLTZE**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the Board of Chiropractic Examiners and the practice of**  
2 **chiropractic."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 08.20.055 is amended to read:

5 **Sec. 08.20.055. Board regulations.** The board shall adopt [SUBSTANTIVE]  
6 regulations necessary to effect the provisions of this chapter, including regulations  
7 establishing standards for

8 (1) continuing education; [AND]

9 (2) the application, performance, and evaluation of chiropractic core  
10 methodology;

11 (3) the training, qualifications, scope of practice, and employment  
12 of chiropractic interns and chiropractic preceptors;

13 (4) the designation of one or more nationally recognized  
14 certification programs for chiropractic clinical assistants; and

1 (5) the performance of patient examinations authorized under  
 2 AS 08.20.100(b).

3 \* Sec. 2. AS 08.20.100(b) is amended to read:

4 (b) A person licensed under this chapter may

5 (1) analyze, diagnose, or treat the chiropractic condition of a patient by  
 6 chiropractic core methodology or by ancillary methodology;

7 (2) accept referrals for [CHIROPRACTIC] treatment by chiropractic  
 8 core methodology or by ancillary methodology;

9 (3) consult on chiropractic matters;

10 (4) refer patients to other health care professionals;

11 (5) perform [SIGN]

12 (A) within the scope of chiropractic practice, [CERTIFICATES  
 13 OF] physical examinations of [FOR] children for school physical  
 14 examinations and preparticipation physical examinations for sports and  
 15 school activities [BEFORE THEY ENTER SCHOOL];

16 (6) sign

17 (A) [(B)] reports for excuses from employment and from  
 18 attendance at school or participation in sports activities; and

19 (B) [(C)] authorizations for sick leave;

20 (7) [(6)] perform preemployment and workplace health examinations;

21 (8) [(7)] provide disability and physical impairment ratings;

22 (9) [AND (8)] provide retirement health and disability authorizations  
 23 and recommendations;

24 (10) employ nationally certified chiropractic clinical assistants;

25 and

26 (11) employ chiropractic interns and chiropractic preceptors.

27 \* Sec. 3. AS 08.20.100 is amended by adding a new subsection to read:

28 (d) This section does not apply to a chiropractic intern who is acting within the  
 29 scope of practice authorized by the board and is under the personal supervision of a  
 30 licensed chiropractor.

31 \* Sec. 4. AS 08.20.160 is amended to read:

1           **Sec. 08.20.160. Temporary permits.** Temporary permits may be issued to  
 2           [PERSONS APPARENTLY] qualified applicants until the next regular meeting of  
 3           the board.

4           \* **Sec. 5.** AS 08.20 is amended by adding a new section to read:

5           **Sec. 08.20.168. Chiropractic clinical assistant.** (a) A person shall furnish  
 6           evidence satisfactory to the board that the person has completed a nationally  
 7           recognized certification program under AS 08.20.055(4) to practice as a chiropractic  
 8           clinical assistant in this state.

9           (b) A person who meets the requirements under (a) of this section may, under  
 10          the general supervision of a person licensed under this chapter,

11                   (1) perform diagnostic imaging studies;

12                   (2) use ancillary methodologies; and

13                   (3) perform procedures.

14          \* **Sec. 6.** AS 08.20.185 is amended to read:

15          **Sec. 08.20.185. Utilization [PEER] review committee; confidentiality.** (a)  
 16          The [IN ADDITION TO PEER REVIEW AUTHORIZED UNDER AS 08.01.075,  
 17          THE] board may establish a utilization [PEER] review committee to review  
 18          complaints concerning the reasonableness or appropriateness of care provided, fees  
 19          charged, or costs for services rendered by a licensee to a patient. A review conducted  
 20          by a utilization [PEER] review committee under this section may be used  
 21          [UTILIZED] by the board in considering disciplinary action against a licensee, but the  
 22          results or recommendations of a utilization [PEER] review committee are not binding  
 23          on [UPON] the board. A member of a utilization [PEER] review committee  
 24          established under this section who in good faith submits a report under this section or  
 25          participates in an investigation or judicial proceeding related to a report submitted  
 26          under this section is immune from civil liability for the submission or participation.

27          (b) The board shall charge a complainant a fee, established under  
 28          AS 08.01.065, for utilization [PEER] review under this section.

29          (c) Patient records presented to a utilization [PEER] review committee for  
 30          review under this section that were confidential before their presentation to the  
 31          committee are confidential to the committee members and to the board members and

are not subject to inspection or copying under AS 40.25.110 - 40.25.125. A committee member or board member to whom confidential records are presented under this subsection shall maintain the confidentiality of the records. A person who violates this subsection is guilty of a class B misdemeanor.

\* **Sec. 7.** AS 08.20.200 is amended to read:

**Sec. 08.20.200. Unlicensed practice [A MISDEMEANOR].** A person who practices chiropractic in the state without a license in violation of AS 08.20.100 is guilty of a class A misdemeanor and may be punished as provided in AS 12.55 [, AND UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$1,000, OR BY IMPRISONMENT FOR NOT MORE THAN A YEAR, OR BY BOTH].

\* **Sec. 8.** AS 08.20.210 is amended to read:

**Sec. 08.20.210. Fraudulent licenses and certificates.** A person who obtains or attempts to obtain a chiropractic license or provides the board with evidence that the person is nationally certified to practice as a chiropractic clinical assistant [CERTIFICATE] by dishonest or fraudulent means [,] or who forges, counterfeits, or fraudulently alters a chiropractic license or chiropractic clinical assistant certificate issued by a nationally recognized certification program is guilty of a class A misdemeanor [PUNISHABLE BY A FINE OF NOT MORE THAN \$500, OR BY IMPRISONMENT FOR NOT MORE THAN SIX MONTHS, OR BY BOTH].

\* **Sec. 9.** AS 08.20.900(7) is amended to read:

(7) "chiropractic examination" means an examination of a patient conducted by [OR UNDER THE SUPERVISION OF] a person licensed under this chapter, or by a chiropractic clinical assistant or chiropractic intern authorized by the board to conduct an examination under the supervision of a person licensed under this chapter, for the express purpose of ascertaining whether symptoms of subluxation complex exist and consisting of an analysis of the patient's health history, current health status, results of diagnostic procedures including x-ray and other diagnostic imaging devices, and postural, thermal, physical, neuro-physical, and spinal examinations that focuses on the discovery of

(A) the existence and etiology of disrelationships of skeletal

1 joint structures; and

2 (B) interference with normal nerve transmission and  
3 expression;

4 \* **Sec. 10.** AS 08.20.900 is amended by adding new paragraphs to read:

5 (11) "chiropractic clinical assistant" means a person recognized by the  
6 board as nationally certified who works under the general supervision of a person  
7 licensed under this chapter;

8 (12) "chiropractic intern" means a person who is authorized by the  
9 board to engage in the practice of chiropractic while under the personal supervision of  
10 a person licensed under this chapter for the purpose of obtaining practical experience  
11 for licensure as a chiropractor;

12 (13) "chiropractic preceptor" means a person who is licensed under  
13 this chapter and is authorized by the board to participate in the instruction and training  
14 of chiropractic interns.